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U. S. 61st Cong., 2d Session, 1909-1910

61ST CONGRESS }
2d Session }

SENATE

{ DOCUMENT
No. 656

STATUE OF
GOVERNOR
FRANCIS HARRISON
PIERPONT

PROCEEDINGS IN STATUARY HALL AND
IN THE SENATE AND THE HOUSE OF
REPRESENTATIVES ON THE OCCASION
OF THE UNVEILING, RECEPTION, AND
ACCEPTANCE OF THE STATUE FROM
THE STATE OF WEST VIRGINIA

COMPILED UNDER THE DIRECTION OF THE
JOINT COMMITTEE ON PRINTING



WASHINGTON
GOVERNMENT PRINTING OFFICE
1910

CONCURRENT RESOLUTION.

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound the proceedings in Congress, together with the proceedings at the unveiling in Statuary Hall upon the acceptance of the statue of Francis H. Pierpont, presented by the State of West Virginia, sixteen thousand five hundred copies, of which five thousand shall be for the use of the Senate and ten thousand for the use of the House of Representatives and the remaining one thousand five hundred copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of West Virginia.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall procure suitable copper-process plates to be bound with these proceedings.

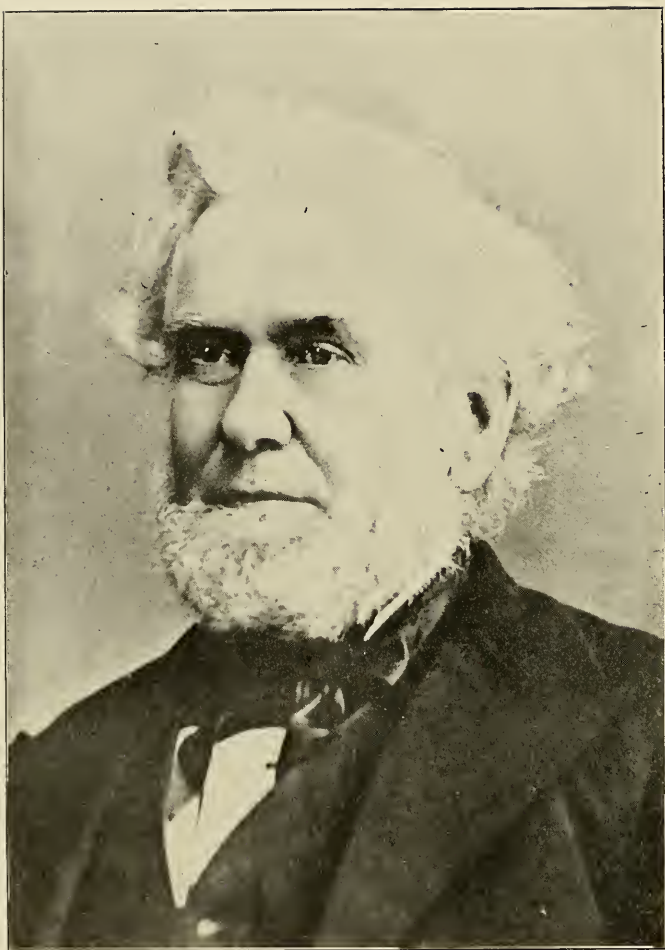
Passed June 6, 1910.

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TABLE OF CONTENTS



	Page
Biography of Francis Harrison Pierpont	6
Ceremonies in Statuary Hall	9
Invocation by Rev. Henry N. Couden	9
Address of Hon. Thomas C. Miller	10
Unveiling of statue by Miss Frances P. Siviter	20
Address of Governor William E. Glasscock	20
Recital of poem by Miss Siviter	40
Address of Hon. Alston Gordon Dayton	41
Benediction by Rev. Ulysses G. B. Pierce	60
Proceedings in the Senate	63
Prayer by Rev. Ulysses G. B. Pierce	63
Address of Mr. Elkins, of West Virginia	67
Address of Mr. Dolliver, of Iowa	75
Address of Mr. Heyburn, of Idaho	99
Address of Mr. Oliver, of Pennsylvania	103
Address of Mr. Scott, of West Virginia	107
Proceedings in the House	113
Address of Mr. Hubbard, of West Virginia	115
Address of Mr. Keifer, of Ohio	123
Address of Mr. Payne, of New York	143
Address of Mr. Gaines, of West Virginia	157
Address of Mr. Sturgiss, of West Virginia	161



J. H. Pierpont.

FRANCIS HARRISON PIERPONT

Born January 25, 1814, in Monongalia County, Va. (now Marion County, W. Va.). A graduate of Allegheny College, Meadville, Pa., in 1839; a teacher for some years; a successful lawyer and business man, engaged in mining coal and manufacturing fire brick.

Antislavery Whig in politics; elector in 1848.

A leading member of the Methodist Protestant Church.

Elected provisional governor of Virginia on the 20th day of June, 1861, by the Wheeling Convention.

Elected governor of Virginia on the fourth Thursday of May, 1862, by the people, to fill out the unexpired term of John Letcher, who was declared to have vacated his office by having joined the Confederacy.

On the fourth Thursday of May, 1863, he was elected for the full term of four years, beginning January 1, 1864, and removed the seat of government from Wheeling to Alexandria before the State of West Virginia began its legal existence, on June 20, 1863.

On the 25th day of May, 1865, he removed the seat of government to Richmond, and served till the end of his term, January 1, 1868, and held over till the 16th day of April, 1868, when Major-General Schofield, in command of the First Military District (Virginia), appointed Henry H. Wells provisional governor.

In 1868 Governor Pierpont returned to his home at Fairmont, W. Va.

He was elected to the house of delegates in 1869, and later was appointed collector of internal revenue for West Virginia by President Garfield.

He never was governor of West Virginia.

He died at Pittsburg, at the home of his daughter, March 24, 1899, and was buried at Fairmont, W. Va.

**Unveiling of Statue of
Governor Francis Harrison Pierpont**

CEREMONIES IN STATUARY HALL

Exercises held in Statuary Hall, in the Capitol, Washington, D. C., April 30, 1910, at 10 o'clock a. m., on the unveiling and presentation of the statue of FRANCIS HARRISON PIERPONT, by the State of West Virginia, Hon. Harry Chapman Woodyard presiding.

MR. WOODYARD. I have been requested to preside on this occasion by the commission created by an act of the legislature of West Virginia to have prepared and placed in this hall a statue of a distinguished and honored son of that State.

The Chaplain of the House of Representatives, Rev. Henry N. Couden, D. D., will invoke the divine blessing.

Invocation by Reverend Henry N. Couden

God of the ages, our father's God and our God, whose omniscient and omnipotent love has shaped and guided the destiny of men and of nations.

And step by step, since time began,
We see the steady gain of man.

From savagery to barbarism, from barbarism to a civilization which found its fullest fruition in the genius of our great Republic, "conceived in liberty and dedicated to the proposition that all men are created equal."

We thank Thee from our heart of hearts for the great men who "conceived, resolved, and maintained;" long may it live a blessing to mankind and an honor to Thy holy name. We are assembled here under the Dome of its Capitol, in this Hall of Fame, to add to the immortal group a scholar, a statesman, a

Christian patriot whose life and deeds add luster to the pages of American history. Long may these statues in mute eloquence proclaim to the world liberty, justice, equal rights, and inspire coming generations to honest toil, patriotic fervor, and Godly lives. Let Thy blessing attend these sacred ceremonies and be with those who shall pay their tribute of love and respect to the memory of a distinguished fellow-citizen whose spotless character and illustrious deeds are woven into the warp and woof of his State and Nation.

And Thine be the praise through Jesus Christ our Lord, who taught us to pray:

Our Father which art in heaven, hallowed be Thy name, Thy kingdom come, Thy will be done on earth, as it is in heaven. Give us this day our daily bread, and forgive us our debts as we forgive our debtors, and lead us not into temptation, but deliver us from evil, for Thine is the kingdom, and the power, and the glory, forever. Amen.

Mr. WOODYARD. The statue prepared and here placed by the commission will be tendered on behalf of the commission by Hon. Thomas C. Miller, secretary, to the State of West Virginia, in final discharge of the duties imposed upon it by the legislature of West Virginia.

Address of Honorable Thomas C. Miller

The civil war in the United States, beginning in 1861, was not as has been so generally thought the primal cause of the formation of West Virginia; it was only the occasion that made such a procedure possible. For many years there had been discontent in the western part of Virginia, growing out of unequal representation and discrimination in taxation coupled with the then ever-present question of human slavery. While no direct movement looking to the division of the State had been attempted, nevertheless there was a spirit of unrest in the trans-

Allegheny region, and it had been emphatically declared many times by the western leaders of both the Whig and the Democratic parties that, unless the tide water and Piedmont region of Virginia became more liberal in dealing with the western sections of the State, separation would inevitably follow sooner or later.

Students of American history will recall that previous to the adoption of the Constitution in 1787 there had been no fewer than seven plans proposed looking to the organization of new States west of the Alleghenies. Some of these movements had taken definite form, as will be recalled in the effort to establish Vandalia, Westsylvania, and the State of Franklin, and it is a remarkable fact that no fewer than five of these proposed plans included in their boundary the whole or a part of what is now West Virginia. The Ohio River, Pennsylvania, and Maryland boundaries of West Virginia are identical with those of two of the projected new States.

Geographic influences also had much effect on the material, political, and social conditions of the two sections. The main ridge of the Allegheny Mountains, with its northeast and southwest trend, formed a barrier through the center of the State which, before the days of modern engineering, had seemed almost insurmountable. The trade of the western section was largely down the Ohio or to Baltimore and the East. There was considerable traffic down the Monongahela to Pittsburg, and Philadelphia and New York could be more easily reached from Wheeling than could Richmond and Norfolk, and so commercial relations did not do much to assist in making a bond of unity. Furthermore, the settlers of the two regions differed widely in nationality, manners, and customs as well as in political sentiment, and there was not that community of interest which, even without legal enactment, oftentimes binds a people together. The tide water and the eastern part of the State had been settled

largely by the cavalier element, while the Ohio Valley and the western interior had been peopled mainly by those who had migrated from the colonies farther north, especially the Scotch-Irish from eastern Pennsylvania, New Jersey, Delaware, and Connecticut. These pioneers wended their way across the mountains over roads which had first been blazed through the woods by the troops under Braddock, Washington, and Forbes. Coming to the headwaters of the tributaries of the upper Ohio they made themselves homes in the valleys and hill lands of western Virginia, and became the ancestors of as brave and patriotic a people as this country has produced. Speaking of the influence of the Scotch-Irish element in our national life, John Fiske, the historian, says:

Once planted in the Allegheny region they spread rapidly and in large numbers toward the southwest along the mountain country through the Shenandoah Valley and into the Carolinas. At a later time they formed almost the entire population of western Virginia, and they were the men who chiefly built up the Commonwealths of Kentucky and Tennessee.
* * * When our civil war came these men were a great power on both sides, but the influence of the chief mass of them was exerted on the side of the Union; it held Kentucky and a large part of Tennessee, and broke Virginia in twain.

The one whom we honor here to-day and whose great work in the formation of the State we commemorate in this beautiful statue was a descendant of one of these hardy pioneers who settled in what is now Monongalia County previous to the Revolutionary war.

The above well-known historical facts have been referred to briefly in an effort to correct the widespread misapprehension among the younger generation as to the initiative of the movement which led to the dismemberment of Virginia. West Virginia was not formed merely as the outgrowth of a feeling engendered and embittered by the civil war, but was the logical culmination of a diverse political sentiment that had manifested itself through a period of nearly three quarters of a cen-

tury. These things are not presented here to-day in any offensive sense, but to call attention to some of the errors which have crept into our histories and that have misled many of the youth of our country.

When the ordinance of secession was passed by the Virginia convention in 1861, it was by no means by a unanimous vote. The record shows that only 88 members voted for the passage of the measure and 55 against it. Of the 55 men who voted against the ordinance 33 lived west of the Alleghenies, and at once they became the target of severe criticism and vituperation in Richmond and the east, even the lives of some being threatened. Returning to their homes, loyal to the Old Flag, we do not wonder that a spirit of patriotic zeal was soon manifest all through the western part of the State. We are not surprised, either, to find the same men who had left the Richmond convention, some of whom had been expelled and others whose seats had been declared vacant, among the leaders who assembled as the representatives of the people in the Wheeling conventions in May and June following.

In passing it may be remarked that no more practical demonstration of the principle enunciated in Lincoln's famous utterance at Gettysburg, "government of the people, by the people, for the people," has ever been seen than in this loyal uprising in western Virginia in 1861. It resembled the Roman Republic in the brightest period of its history, when the populace met in the Forum, chose their rulers, dictated policies, and determined future action.

When the delegates assembled at Wheeling in May, 1861, in obedience to what seemed to be an instinctive command of the people, there was a very strong sentiment in favor of immediate statehood for the trans-Allegheny section of Virginia. Indeed some who had been advocating a new Commonwealth claimed that this was the long desired opportunity, and that if action

were not taken at this time the occasion would be lost forever. The wiser and more conservative element of the convention was, for a time, subjected to a good deal of adverse criticism, because it opposed such precipitate action, and it was only by an earnest appeal to their patriotism and under a solemn promise that as soon as it could be done in accordance with the Constitution of the United States, steps would be taken looking to the formation of a new State, that a compromise was reached and conciliatory measures agreed upon. And here it was that the wise foresight and eminent ability of Governor PIERPONT manifested itself. I have heard him tell where he was and of his exultation when the thought occurred to him that the way had opened up and that a new State could be legally organized if proper methods were pursued. The ancient alchemist is said to have exclaimed, "Eureka! Eureka!" but a generally accepted tradition, now confirmed by the family record, says that Governor PIERPONT'S exclamation was even more emphatic, "I have it! I have it!" Perplexed and almost bewildered on account of the situation, he had sat down to read the Constitution of the United States through, section by section, and when he came to section 4 of Article IV it seemed to have a new meaning to him, and to apply very definitely to the condition of affairs then existing. The section to which I have alluded and which opened the way to meet the great crisis of 1861 in western Virginia, reads as follows:

The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion, and on application of the legislature, or of the executive when the legislature can not be convened, against domestic violence.

As already stated, a large majority of the delegates in the May convention were in favor of immediate action looking to the formation of a new State, so Governor PIERPONT'S suggestion for the organization of the restored government of Virginia

and an appeal to the General Government at Washington for recognition was at first not well received. However, he ably presented his view of the crisis and was cordially supported by Waitman T. Willey, John J. Jackson, Daniel Lamb, and other conservative leaders who had great influence among the delegates, and finally his plan was adopted and put into effect. He was chosen provisional governor, an appeal was made to President Lincoln, who immediately recognized the new government; Wheeling was established as the temporary capital, and a call was made for volunteers to assist in suppressing the rebellion. This seemingly anomolous situation has scarcely had a parallel in history. A State in rebellion against the General Government and a portion of that State in revolt against the same state authorities and claiming to be the rightfully constituted state government, and out of all this confusion a new Commonwealth formed and the thirty-fifth star added to the galaxy in our flag.

Writing on this subject some years ago, Honorable A. W. Campbell, for a long time editor of the *Wheeling Intelligencer*, a strong advocate of the new-state movement, and one of Governor PIERPONT'S most ardent and efficient supporters, said:

The great fact patent and well known to you is that West Virginia was loyal to the Union and that her loyalty enabled you at once to push forward your lines to the Allegheny Mountains. History will dwell on this fact and will more fully explain it than I have done and will pay it the tribute it so well deserves. History will also reveal other facts, many of them personal in their character, that entered into the great movement for the Union in West Virginia in 1861. I will allude to only one of them. Here in our presence to-day is an old man who was then in his prime, who is the repository of as much of the unpublished history of West Virginia in the war as any man in the State. All his life before the war the voice of this man was heard in the mountains as of one crying in the wilderness, warning the people of the beguilements of those who were luring them into espousals and indorsements of doctrine that would commit them to secession, rebellion, and war, and when the evil day at last came and Virginia threw off her allegiance to the Union he grasped, among the very first, the idea of the loyal people assuming and taking on and carrying forward her indestructible stateship and of organizing a provisional government under which and

around which all the loyal people of Virginia, of which State we were then a part, could rally. It was the first case of the kind in American history and forms a precedent fully confirmed and ratified by the United States. It was all regular and simply based upon the theory that when sovereignty lapses by reason of treasonable alliance on the part of existing state authority it reverts ipso facto to the loyal people of the Commonwealth and by them can be at once embodied in a provisional government. The conception and formation of this idea belongs as much, if not more, to the man to whom I am alluding, ex-Governor PIERPONT, of Marion County, than to any other man in West Virginia.

Man is prone to speculate on what might have happened had conditions been different. For instance, if Napoleon had been informed as to the sunken road near Waterloo, or had Blucher arrived earlier, the map of Europe might not be as it is to-day. Students of military history have for years asked what would have resulted if Lee had vigorously attacked Burnside at Fredericksburg before the Union Army reached the other side of the Rappahannock, and much speculation has been indulged in as to the outcome of the battle of Gettysburg if Meade had renewed the contest on July 4, 1863. This, you say, is mere speculation; but we are told that history is philosophy teaching by experience and example, and if this be true we may better interpret some things of the past as well as discern the future by the light of this experience and observation.

If you will look at the map of the United States, you will see that it is only a short distance from the northern Panhandle of West Virginia to Lake Erie. Had not the western part of Virginia adhered to the Union, this narrow strip of 80 miles would have been the only connecting link between the East and the West. What might have resulted had the Government not been able to maintain a line of communication between the Atlantic coast and the Mississippi Valley by means of the Baltimore and Ohio Railroad, and through the Kanawha Valley, no one can tell. The estimate that President Lincoln placed upon the action of the loyal people of the moun-

tains is indicated in the statement he made with reference to the admission of West Virginia into the Union, and which you find on the programme which is in your hands to-day.

Should I be asked to characterize the patriotic work of Governor PIERPONT in one brief statement, it would be that he was the conservative leader who made it possible by legal methods to constitute the State of West Virginia. I have said he was conservative, and so he was; but when his duty was made plain then he became the aggressive, earnest, capable leader, brave and daring, fearing only not to do right. No more patriotic citizen ever lived in the Commonwealth over whose affairs he had control for nearly eight years. I refer, of course, to the State of Virginia, because he was never governor of West Virginia. He was known, however, as one of the war governors and assisted in putting into the field more than 40,000 troops in the support of the Union cause. He was intimately associated with John A. Andrew, Oliver P. Morton, John A. Dix, and others of that notable group of men who loyally supported President Lincoln throughout the civil conflict and who rendered such efficient aid toward the suppression of the rebellion.

To others has been allotted the pleasing task of speaking more fully of the life and character of the one whom we honor here to-day. I can not forbear, however, from saying a word in this connection. Graduating from Allegheny College, at Meadville, Pennsylvania, Governor PIERPONT had as classmates and tutors such men as Gordon Battelle, Bishop Mathew Simpson, Bishop Kingsley, Homer Clark, and others, among whom existed a friendship that was severed only by death. Implicitly accepting the faith of his fathers, he became an active Christian worker, and whether as Sunday-school teacher and superintendent, or as president of the highest ecclesiastical

organization of his denomination, the Methodist Protestant Church, his ability, his zeal, and broad humanitarianism were always manifest.

In beautiful Woodlawn Cemetery, near the town which was his home for nearly three quarters of a century, lie the remains of the noble character whose pure life and whose lofty patriotism we commemorate at this hour. On his tomb is chiseled the phrase, "Father of West Virginia," and just below, with even a higher meaning and in loftier strain, we read, "Patriot, Statesman, Christian."

The first suggestion that the statue of FRANCIS H. PIERPONT should be one of West Virginia's contributions to this Hall was in a resolution adopted by the Society of the Army of West Virginia at Fairmont in 1900. At the next session of the legislature a bill was introduced providing for such a statue, and after careful consideration the measure was passed by a unanimous vote and a commission constituted to carry out the provisions of the act. The members of the commission were as follows: Albert B. White, governor; Anthony Smith, president of the senate; William G. Wilson, speaker of the house; and James F. Brown, Clarence L. Smith, John Frew, and Thomas C. Miller. Shortly afterwards the commission organized and after considerable correspondence with artists and sculptors and frequent conferences with the family of Governor PIERPONT, a contract for the execution of the work was awarded to Mr. Franklin Simmons, a prominent American sculptor then residing at Rome, Italy. Work on the model and the statue progressed satisfactorily, and it was completed and placed where it now stands in December, 1904. It is with sadness that we record the death of two members of the commission before the work was finished—Honorable John Frew, of Wheeling, and General Clarence L. Smith, of Fairmont. Both were lifelong friends of Governor PIERPONT, and

they would have rejoiced with us to-day in the completion of this fitting testimonial to the life and character of their old friend and associate.

For various reasons the presentation of the statue has been delayed till this hour. The principal cause has been the inability of the governor's only daughter, Mrs. W. H. Siviter, on account of feeble health, earlier to attend the ceremonies which she to-day witnesses with gratitude and thanks to all who have had any part in thus honoring her father. This large body of West Virginians, testifying to the debt of gratitude they owe one of her leading citizens, shows that Governor PIERPONT is not forgotten, but that his memory is held in loving remembrance by the people of the State which he had such a prominent part in making.

To me it is a peculiar pleasure to have a part in these ceremonies, tinged even as they are by sadness. It is my fondest memory that Governor PIERPONT was my father's lifelong friend; he was my boyhood ideal, the counselor of my early manhood and the inspiration of my best efforts, and I am glad to know that his prototype is to stand in this Hall among those who have made the world better by their high ideals, their lofty patriotism, their unblemished character, and their sublime devotion to duty.

And now, Governor Glasscock, on behalf of the commission constituted by the legislature of West Virginia, and authorized to procure a statue in marble of FRANCIS HARRISON PIERPONT, I have the honor of presenting to you, West Virginia's chief executive, the statue provided by the commission. It stands here amidst this group of great Americans as the symbol of a life that was singularly devoted to the public service in the highest patriotic endeavor and as a type of noble manhood worthy the emulation of all the youth of our land.

Mr. WOODYARD. The statue will be unveiled by Miss Frances Pierpont Siviter, a granddaughter of Governor FRANCIS HARRISON PIERPONT.

[The statue was then unveiled amid great applause.]

Mr. WOODYARD. I have very great pleasure in introducing to you Honorable William E. Glasscock, governor of West Virginia, who will accept the statue on behalf of the State.

Address of Governor William E. Glasscock.

LADIES AND GENTLEMEN: FRANCIS H. PIERPONT, whose statue in marble I thus have the honor to present on behalf of the State of West Virginia to the American Congress, was the third son of Francis and Catharine (Weaver) Pierpont, and was born January 25, 1814, in Monongalia County, Virginia, on the farm settled by his grandfather, John Pierpont. In 1814, Francis Pierpont, the father of the subject, moved from the old homestead to land purchased by him about 2 miles from Fairmont, now Marion—then Harrison—County, West Virginia. In 1827 he made his residence in Middletown, now Fairmont, where he conducted a tannery in connection with his farm. His young son FRANCIS H., the subject, assisted his father in his several occupations until manhood. His educational opportunities were, in the meantime, limited. In June, 1835, he entered Allegheny College, at Meadville, Pennsylvania, from which he was graduated with the degree of bachelor of arts in September, 1839. He taught school until 1841, when he removed to Mississippi, where he continued teaching; but the following year he returned home because of the failing health of his father. Having studied law in the leisure intervals of his career as a teacher, he was now admitted to the bar. From 1848 for a period of eight years he served as local counsel of the Baltimore and Ohio Railroad Company for the counties of Marion and Taylor. In 1853 he

engaged in the mining and shipping of coal by rail, and soon after in the manufacture of fire bricks. In December, 1854, he married Julia A., daughter of Reverend Samuel Robinson, a Presbyterian minister of New York. In religious faith he was a member of the Methodist Episcopal Church. He now confined himself to the law, and was engaged in its practice at Fairmont when the terrible storm of civil strife swept over the land. Nowhere else did it rage so fiercely as in Virginia, which then extended from the Chesapeake to the Ohio. The year 1860 found this grand "Old Dominion" in a state of the wildest commotion, a condition unexampled in history, unless it be France in the early days of the French Revolution. Her people hesitated long, but at length the time for final action arrived, and Governor John Letcher, influenced by the pressure of the time, issued a proclamation convening the general assembly in extraordinary session on January 7, 1861, and some days later an act was passed providing for a convention of the people of Virginia to meet February 4, 1861. It was a remarkable body of men. Among them were ex-President John Tyler, Honorable Henry A. Wise, ex-governor of the Commonwealth, and many others who had held high positions in the councils of the State and Nation.

The world knows the story of the action of that convention. On the 17th of April, 1861, it adopted an ordinance of secession. This action was popular in eastern Virginia, where from the mountains to sea all was enthusiasm, but it met with fierce opposition in the northwestern part of the old Commonwealth. There for weeks public meetings of citizens had been held in many of the counties, in all of which there was not only an expression of the disapproval of secession, but a determined effort to resist it. Thus far all had been individual action on the part of the several counties, but now (April 22, 1861) the first call for united action went out from Clarksburg in Harrison

County, the birthplace of "Stonewall" Jackson. There, but five days after the adoption of the ordinance of secession, nearly twelve hundred citizens convened in compliance with a call issued forty-eight hours before. The convention was organized by the election of John Hursey chairman and John W. Harris secretary. There were eminent speakers present, and much enthusiasm was manifested. Before adjournment a preamble and series of resolutions were adopted without a dissenting voice. One of the latter was as follows:

Be it resolved, That it be and is hereby recommended to the people in each and all of the counties composing northwestern Virginia to appoint delegates, not less than five in number, of their wisest, best, and most discreet men, to meet in convention on the 13th day of May next, to consult and determine upon such action as the people of northwestern Virginia should take in the present fearful emergency.

A succeeding resolution named ten of the foremost men present to represent Harrison County in the proposed convention.

That evening, Mr. C. E. Ringler, editor and proprietor of the Western Virginia Guard, published at Clarksburg, issued an extra edition of his paper in which was printed an "Address of the convention to the people of northwestern Virginia." In this the foregoing preamble and resolutions were embodied. Messengers mounted on horseback bore copies of the Guard to Weston, Kingwood, and Morgantown, and to adjoining and adjacent counties. Other copies were distributed along the lines of railroad westward to Wheeling and Parkersburg, eastward to Martinsburg, and even to the lower Potomac. The time was short, the emergency great, and from Hancock County to Wayne and from Wood to Berkeley the people hastened to comply with the request of the Clarksburg convention. Public meetings were held in counties, in cities, in towns, at churches, schoolhouses, and crossroads, and delegates appointed to the proposed convention at Wheeling. Days seemed weeks, but time passed and brought the eventful 13th day of May, 1861.

THE FIRST CONVENTION OF THE PEOPLE OF NORTHWESTERN
VIRGINIA.

The morning of the 13th day of May, 1861, witnessed a gathering in the city of Wheeling of the most determined men that ever assembled on the banks of the Ohio. The convention convened at 11 o'clock in Washington Hall. It was but ten days before the vote on the ordinance of secession. The body was called to order by Honorable Chester D. Hubbard, on whose motion William B. Zinn, of Preston County, was made temporary president; and George R. Latham, of Taylor County, was chosen temporary secretary. The report of the committee on credentials showed that 436 duly accredited delegates were in attendance. The committee on permanent organization reported as follows: For president, John W. Moss, of Wood County; for secretaries, Charles B. Waggener, of Mason County, Marshall M. Dent, of Monongalia County, and J. Chandler, of Ohio County. A committee was appointed on state and federal relations, consisting of one member from each of the twenty-eight counties represented. The real work of the convention now began. A very excited controversy sprang up on the plan to be adopted for immediate action. There were those—many of them—who came to the convention determined to vote for an immediate and unqualified division of the State, however violent or revolutionary it might appear. Some delegations, indeed, came to Wheeling with a banner flying at their head indorsed, "New Virginia, now or never." Their plan was to immediately adopt a constitution and form of government for the counties represented and proceed to fill all offices by temporary appointment. But there was another party, respectable both as to members and intelligence, who felt and saw the irreparable mischief that would follow in the true point of distinction between spasmodic disruption and authorized resistance. Foremost among these was FRANCIS

H. PIERPONT, one of the delegates from Marion County. He and those who acted with him argued that the delegates had not been appointed with this end in view, nor empowered to act with such extreme vigor; that the convention had not been legally convened, and its action could not, therefore, bind the people to acquiescence either in law or reason or by any known rule or precedent; that no vote had yet been taken on the ordinance of secession, and hence the State of Virginia still had a government, under the Constitution of the United States, at Richmond; and that the Federal Government would not recognize a State created thus, because it was not in compliance with the mode prescribed by the Constitution of the United States. Thus the first and second days were consumed in acrimonious debates. The partisans of both views maintained their ground with unrelenting hostility, and great dissatisfaction prevailed on all sides. Debate was renewed on the morning of the third day, but in a milder spirit; the voice of better counsels was beginning to prevail, and all felt the imperative necessity of some action that should be, as far as possible, harmonious in its character. Late at night the discussions were interrupted by the committee on state and federal relations begging leave to report through its chairman, Campbell Tarr. The report consisted of a series of thirteen resolutions, and it was a skillful blending of all opinions. The recent action of the Richmond convention was reviewed and the course to be pursued by the people of northwestern Virginia outlined in the event of the ratification of the ordinance of secession by the people of Virginia on the ensuing 23d day of May, eight days hence. This report elicited but little discussion and was adopted with but two dissentient voices. Then a single voice was heard amid the silent multitude; it was that of earnest prayer beseeching the blessings of Heaven upon the work prepared. This ended, a thousand voices united in singing the Star-Spangled Banner,

and the first convention of the people of northwestern Virginia, that usually referred to as the first Wheeling convention, adjourned sine die.

THE SECOND CONVENTION OF THE PEOPLE OF NORTHWESTERN VIRGINIA.

The report of the committee on state and federal relations adopted by the first convention provided for a second convention should the people ratify the ordinance of secession. This was done in the eighth resolution as follows:

8. *Be it resolved*, That in the event of the ordinance of secession being ratified by a vote, we recommend to the people of the counties here represented, and all others disposed to cooperate with us, to appoint on the 4th day of June, 1861, delegates to a general convention, to meet on the 11th of that month, at such place as may be designated by the committee hereinafter provided, to devise such measures and take such action as the safety and welfare of the people they represent may demand; each county to appoint a number of representatives to said convention equal to double the number to which it will be entitled in the next house of delegates, and the senators and delegates to be elected on the 23d instant, by the counties referred to, to the next general assembly of Virginia, and who concur in the views of this convention, to be entitled to seats in the said convention as members thereof.

The report further provided for a central committee, together with its duties set forth in the twelfth and thirteenth resolutions, as follows:

12. *Be it resolved*, That John S. Carlile, James S. Wheat, Chester D. Hubbard, FRANCIS H. PIERPONT, Campbell Tarr, George R. Latham, Andrew Wilson, S. H. Woodward, and James W. Paxton be a central committee to attend to all the matters connected with the objects of this convention, and that they have power to assemble this convention at any time they may think necessary.

13. *Be it resolved*, That the central committee be instructed to prepare an address to the people of Virginia in conformity with the foregoing resolutions and cause the same to be published and circulated as extensively as possible.

Speedily this central committee, of which FRANCIS H. PIERPONT was a member, prepared and sent out broadcast "An

address to the people of northwestern Virginia," which contained more than two thousand words and was one of the most stirring appeals ever made to any people.

The ordinance of secession was ratified by the people of Virginia May 23, 1861, and this, of course, paved the way for a second Wheeling convention of the people of northwestern Virginia, as provided for in the foregoing resolution of the first convention. Accordingly delegates were appointed on the 4th day of June ensuing, and the convention assembled in Washington Hall, Wheeling, six days later, June 10. One hundred and six members were in attendance, one of whom was FRANCIS H. PIERPONT, a delegate from Marion County. On his motion Dennis B. Dorsey was elected as temporary chairman, and FRANCIS H. PIERPONT was then made chairman of the committee on permanent organization, on the recommendation of which Arthur I. Boreman, of Wood County, who afterwards became the first governor of West Virginia, was made permanent president; Gibson Lamb Cranmer, of Ohio County, permanent secretary, and Thomas Hornbrook, of Ohio County, sergeant-at-arms. The convention then proceeded to appoint a committee on order of business, otherwise known as the committee of seventeen. Of this committee FRANCIS H. PIERPONT was a member. On the third day of the session, this committee reported "A declaration of the people of Virginia, represented in convention at Wheeling, Thursday, June 13, 1861." It was a most remarkable state paper, possessing much historical interest for the people of both the Virginias. This was adopted, and on the same day the committee of seventeen reported "An ordinance for the reorganization of the state government." It provided for the appointment of a governor, lieutenant-governor, and attorney-general for the State of Virginia by the convention, together with an executive council, to consist of five members, and prescribed an oath or affirmation to be taken or made by all

state and county officers under the reorganized government. On the sixth day of the session FRANCIS H. PIERPONT made the greatest speech of his life in advocacy of the adoption of this ordinance. On the eighth day it was adopted. That evening there was a caucus of the members to agree upon nominees for the several offices.

BEGINNING OF THE RESTORED GOVERNMENT—ITS CONTINUANCE
AT WHEELING.

On June 20, 1861, the chairman announced that the first business before the convention was the election of a governor, lieutenant-governor, attorney-general, and council. Then Daniel Lamb, of Ohio County, arose and said:

I desire, Mr. President, to present to the convention for the office of governor the name of FRANCIS H. PIERPONT, of Marion County. Mr. PIERPONT needs no eulogium at my hands. He is known to all of us. He is known throughout this country as having been one of the ablest, the most decided, and indefatigable advocates of our cause from the very start. We all know that heart and soul he is with us.

No other nominations were made. A vote was taken, and every member present voted for Mr. PIERPONT. Daniel Polsley, of Mason County, was then elected to the office of lieutenant-governor and James S. Wheat, of Ohio County, was chosen attorney-general; Peter G. Van Winkle, of Wood County, Daniel Lamb and James W. Paxton, of Ohio County, William A. Harrison, of Harrison County, and William Lazier, of Monongalia County, were elected members of the executive council, or council of state. Governor PIERPONT then delivered a brief inaugural address and took the oath of office, it being administered by Andrew Wilson, a justice of the peace for Ohio County. Governor PIERPONT acted with great promptness. Early on the morning of the next day he appointed Lucian A. Hagans, of Preston County, secretary of the Commonwealth. An hour later he wrote President Lincoln, informing him that an insurrection

existed in Virginia which he was unable to suppress, and therefore called upon the Government of the United States to furnish a military force to aid in its suppression and to protect the good people of the Commonwealth from domestic violence. Four days later Simon Cameron, Secretary of War, made reply, promising assistance and directing his letter to "Honorable FRANCIS H. PIERPONT, governor of the Commonwealth of Virginia, Wheeling, Virginia." Five days later Caleb B. Smith, Secretary of the Interior, certified "To His Excellency FRANCIS H. PIERPONT, governor of the Commonwealth of Virginia," the basis of representation in Congress, as determined by the Eighth Census, and that thereunder the Commonwealth of Virginia was entitled to 11 members in the House of Representatives for the Thirty-eighth Congress. Thus, within five days after Governor PIERPONT'S election by the convention, he had secured the recognition of the restored government by the National Government. This convention having completely restored the government of the Commonwealth adjourned on the 25th of June to reassemble on the 6th of August ensuing.

Governor PIERPONT issued a proclamation, convening the general assembly in extraordinary session at Wheeling, July 1, 1861. In this body there were present 10 senators and 49 members of the house of delegates. Daniel Frost, of Jackson County, was elected speaker, and Gibson Lamb Cranmer, of Ohio County, clerk. Governor PIERPONT'S message to that body is one of the most remarkable state papers connected with the restored government. Having dwelt upon the conditions of existing civil war, he said:

We are passing through a period of gloom and darkness in our country's history, but we need not despair; there is a just God who rides upon the whirlwind and directs the storm. Let us look to Him with abiding confidence.

On the ninth day of the session the assembly elected the following state officers, viz, Samuel Crane, of Tucker County, auditor of public accounts; Campbell Tarr, of Brooke County, treasurer of the Commonwealth; and Lucian A. Hagans, of Preston County, secretary of the Commonwealth. On the same day, the assembly elected John S. Carlile, of Harrison County, a United States Senator, to succeed R. M. T. Hunter, who had resigned his seat in that body. Then followed an election of the successor to James N. Mason, who, like Hunter, had resigned his seat after Virginia adopted the ordinance of secession; and Waitman T. Willey, of Monongalia County, was elected to this position. Carlile and Willey proceeded at once to Washington, where they were admitted to seats in the Congress which had assembled in extraordinary session on the 4th day of July. Having finished its business, the assembly adjourned July 26. The second Wheeling convention reassembled on the 6th day of August and continued in session until the 21st day of that month. Its chief work was that of providing for the division of the State, and the formation of the new State of West Virginia within the limits of the old Commonwealth. The assembly held its regular session, beginning December 2, 1861, and ending February 13, 1862. By an act passed January 7, it provided that on the 22d of the ensuing May an election by the people should be held to choose officials for the unexpired term of governor, lieutenant-governor, and attorney-general. This was done on the date fixed, when FRANCIS H. PIERPONT received 14,924 votes for governor, Daniel Polsley 14,328 votes for lieutenant-governor, and James S. Wheat 13,441 votes for attorney-general—all elected without opposition—for the unexpired term of Governor Letcher and the lieutenant-governor and attorney-general serving with him.

The restored government continued at Wheeling exactly two years, i. e., until June 20, 1863. This last-named day was a

remarkable one in the history of the Virginias. In Wheeling a vast multitude thronged the streets. Thousands of flags fluttered in the breeze; the display of bunting was the most attractive even seen in the "Western Metropolis." A procession marched through the principal streets and then halted in front of Linsley Instituté. It was filled with people; the streets were filled with men, women, and children, and the yards, windows, and roofs were filled with eager faces. A large platform had been erected in front of the institute, and thither the officers—officials of two state governments—were conducted as they arrived. Honorable Chester D. Hubbard called the multitude to order. Thirty-five tastefully attired and beautiful little girls, representing the American States, sang the Star-Spangled Banner. Reverend J. T. McLure addressed the Throne of Grace. Then came two governors—FRANCIS H. PIERPONT, the head of the restored government, and Arthur I. Boreman, chief executive of a State just beginning to be. The first delivered a valedictory, the second an inaugural address. The sovereignty of the restored government of Virginia was terminated on the soil of West Virginia. Governor PIERPONT retired with the restored government to Alexandria. Three cheers were given for West Virginia; the little girls sang *E Pluribus Unum*; the band played the Star-Spangled Banner, and thus terminated the ceremonies of the inauguration of West Virginia as a free and independent State—made possible by the existence of the restored government.

THE RESTORED GOVERNMENT AT ALEXANDRIA.

By an act of the 5th of February, 1863, it was provided that whenever the governor should deem it expedient to remove the seat of the restored government to Alexandria, or to any other place in the Commonwealth outside of the city of Wheeling, he should make proclamation thereof; and he was further author-

ized to convene the general assembly at such place as he should select for the seat of government. Before doing this, he visited Washington City July 11, 1863, and was in Alexandria five days later. He resolved to make this the capital of the restored government. It was the old Belhaven of colonial days, first military headquarters of Colonel Washington in 1754; the scene of the landing of Braddock's ill-fated army of 1755; and was long a commercial emporium of Virginia. Here Governor PIERPONT occupied as a capital building that building that was formerly used by the Farmers Bank of Virginia, and herein were fixed all the executive offices. From here, on the 27th of August, Governor PIERPONT issued a proclamation or address to the people of Virginia. In this he said:

In establishing a seat of government at Alexandria, I hope to be brought into near contact with the people; to give personal attention, as far as possible, to the rights of the citizens; to assure all of my sincere determination to restore harmony and good will, as far as I can, between the civil and military authorities. In those portions of the State occupied by the military and in which civil government has not been established under the authority of the reorganized government of Virginia, the people will have to endure military rule, and to submit to the orders of the generals commanding the military departments. In sections in which the restored government has been organized by the election of the various civil officers required by the laws of the State, it is expected that the said officers will discharge the duties of their respective offices in conformity with said laws. * * * I most earnestly invite the cooperation of all right-minded men and women in my ardent desire to secure peace and security to each county and neighborhood in the Commonwealth, assuring all that I have no other object in view than the present welfare and future prosperity of my native State.

At this time the civil list of the restored government was as follows: FRANCIS H. PIERPONT, governor; Leopold P. C. Cowper, lieutenant-governor; Lucian A. Hagans, secretary of state; G. T. Smith, treasurer; Lewis W. Webb, auditor; Frederick E. Foster, adjutant-general; and Thomas R. Bowden, attorney-general. On the 23d day of May preceding (1863) Governor PIERPONT had been reelected governor of Virginia for the full term of four years, beginning January 1, 1864. At the

same time Leopold P. C. Cowper was elected lieutenant-governor and Thomas R. Bowden, attorney-general, for a similar term. Likewise the members of the general assembly—the second under the restored government—were chosen. These consisted of 6 senators and 13 members of the house of delegates. It convened in the City Hall, December 7, 1863, when the counties of Accomac, Northampton, Alexandria, Fairfax, Loudon, Norfolk, Princess Anne, and Norfolk City and Hampton district were represented in the senate; and the counties of Accomac, Northampton, Prince William, Norfolk, Alexandria, Loudon, Elizabeth City, Fairfax, and Norfolk city and Portsmouth city in the house of delegates. The 5th of February, 1864, this body elected Lucian A. Hagans secretary of state, Lewis W. Webb auditor of public accounts, and John J. Henshaw treasurer of the Commonwealth. At the opening of this session both branches received the message of Governor PIERPONT. In this he reviewed the history of the restored government while Wheeling was its capital city. Among other recommendations he strongly urged the calling of a convention to frame a new constitution for the Commonwealth. A bill known as the "Convention bill No. 9" was accordingly prepared and enacted into law. In compliance therewith a constitutional convention assembled at Alexandria February 13, 1864, and adjourned sine die April 11 ensuing. The body consisted of 17 members, representing the counties of Accomac, Northampton, Alexandria, Fairfax, Elizabeth city, Loudon, Norfolk, Norfolk city, Princess Anne, Warwick, Charles city, New Kent; and the cities of Norfolk, Portsmouth, and Williamsburg. On the 7th of April a constitution was adopted by the convention, but it was not ratified by the people—was never submitted to them for ratification. The general assembly convened in extraordinary session

December 5, 1864; adjourned March 7, 1865. In his message to the body at this session Governor PIERPONT said:

The condition of the Commonwealth, as far as I can learn, is deplorable indeed. The fires of civil war have lighted nearly every neighborhood in three-fourths of it.

Then he proceeded to detail the difficulty of reorganizing the counties then under federal control, because of the hostility of General Benjamin F. Butler, commandant of the Military District of Virginia and North Carolina.

A year had now passed away and the legislature proceeded to the election of an auditor, treasurer, and secretary of state. For the first, Lewis W. Webb was reelected; for the second, Warren W. Wing was chosen; and Lucian A. Hagans having resigned, Charles H. Lewis was elected to the office of secretary of state.

On the 14th of April President Lincoln was assassinated. The next day Major-General C. C. Augur, commanding the Department of Washington, offered a reward of \$10,000 for the arrest of the assassin. April 21 Edwin M. Stanton, Secretary of War, offered an additional reward of \$100,000. On the same day Governor Curtin, of Pennsylvania, offered a reward of \$10,000, and on the 23d Governor PIERPONT added to the foregoing a reward of \$2,000 for the arrest of J. Wilkes Booth or any of his accomplices. Intense excitement prevailed at Alexandria, as elsewhere throughout the country; and there, on the 18th of April, that on which the deceased President was buried, all the bells in the old city tolled from 12 until 5 o'clock p. m.

THE RESTORED GOVERNMENT AT RICHMOND.

Richmond had fallen, and much of it lay in ashes. The old confederate states government had ceased to exist. At a cabinet meeting, on the 24th of April, it was decided that the restored

government, whose capital was at Alexandria, on the Potomac, should be removed to Richmond. In accordance with this decision President Johnson issued an executive order to Governor PIERPONT, directing a change in the place of the restored government. With its removal its personnel was again almost entirely changed. As before stated, Lucian A. Hagans, secretary of the Commonwealth, had resigned and returned to his home in Preston County, West Virginia, and his successor was Charles H. Lewis, from Rockingham County, Virginia, a brother of John F. Lewis, afterwards United States Senator from that State. The auditor of public accounts, Lewis W. Webb, had been succeeded by William F. Taylor, and Francis J. Smith was now treasurer of the Commonwealth instead of Warren W. Wing, who had served in that capacity in the preceding year at Alexandria. David H. Strother, of Martinsburg, West Virginia, author of the Virginia Cannon, and who has arisen to the rank of brigadier-general in the Federal Army, was adjutant-general.

On the morning of May 25 Governor PIERPONT, with the government officials, left Alexandria on the United States mail steamer *Diamond* for Richmond, but on account of accidents did not arrive at its destination until the following day. Upon his arrival in Richmond he was met by a reception committee with Charles Palmer at its head, who greeted the executive as follows:

Governor PIERPONT, it affords me pleasure, as the organ of my fellow-citizens, to offer you their cordial welcome upon your arrival as our chief magistrate to the capital of this ancient Commonwealth, the Mother of States and Statesmen, and to assure you that your coming is greeted with pleasure and hope, believing that you will still continue your efforts, in connection with our national authorities, to restore Virginia to that quiet and peace in the sisterhood of States of our glorious Union, which she now so earnestly desires, after the evils of a cruel war just terminated. Let me, in their name, ask your attention to the importance of at once taking such means as will revive their industrial interest and by a speedy restoration of civil law restore the long-wished-for period of quiet and peace, and let us all, both people and rulers, in a spirit of mutual forgiveness and forbearance

toward each other, wipe out all asperities of the past, and with united hearts and hands emulate each other in the effort to replace Virginia in that bright galaxy of States first and foremost.

Governor PIERPONT responded briefly and appropriately. Then he and his suite were conducted to the carriages in waiting for them. The procession moved to the governor's mansion. Thousands lined the route and a battery on Capitol Square fired 15 guns as the cortege approached. The executive mansion was occupied by many invited guests. Ladies and gentlemen entered the portal and were cordially greeted. Some one proposed three cheers for Governor PIERPONT and these were lustily given. Then Francis J. Smith, of the city of Richmond, stepped forward and delivered an eloquent address. He said, in part:

A little more than four years ago the bonds of friendship, the social and commercial relations between the North and the South were ruthlessly severed—consequences are familiar to us all. If I were to attempt to draw a picture of them the colors would be red and black; red, as typical of the blood spilled, as the black would be of the mourning consequent thereto; but I turn away from the gloomy retrospect, not with sadness, to look to the future, which is full of hope * * * If we can not forget, let us endeavor to forgive, that angry passions may be pushed into silence. At early morn behold the Stars and Stripes gracefully waving from the capitol of this ancient Commonwealth; that banner upheld, the enjoyment of life, liberty, and the pursuit of happiness will ever be secure. * * * Let me speak now for the ladies. They are ready to greet you. They all join us in extending to you a hearty and cordial welcome.

Governor PIERPONT delivered a splendid response. In part he said:

MR. SMITH AND GENTLEMEN: I should not do justice to my own feelings were I to say that I was not moved by the remarks you have just made and by the circumstances with which we are surrounded. * * * As far as I am personally concerned, the position I have occupied for the past four years has been one entirely unsought by me. At the beginning I had no more idea of occupying the position I now do than I had of doing any other strange thing which I never expected to do. Providential circumstances have combined to place me in this position. Thousands of times I have felt that I would rather be in any other position than this. But as my fellow-citizens asked me to serve them, I could not do otherwise than accept

the trust. But I have acted sincerely with a view to the future. * * * Our Nation has been divided, contending with the most powerful armies in the South, and yet we are able to point out to the nations and say, Keep your positions, or you shall keep them, and to-day we present the greatest nation, the most magnificent people known among the nations of the earth. I come among you pledging all the efforts and energies of my heart and mind to the building up of this great State, founded by those great statesmen to whom you have referred.

Governor PIERPONT hastened to make good his promise and immediately entered upon a policy of conciliation and restoration, which made his name a prominent one in the annals of Virginia. He at once called around him the foremost men of the old Commonwealth—men who had followed her fortunes through the civil war. Among these were such as John B. Baldwin, Hugh W. Sheffey, M. W. Harmon, and William M. Tate. Thus he learned of conditions throughout Virginia. Destruction and desolation were everywhere in evidence and a large part of the capital city was lying in ashes. He was told of the destitution in the hospitals for the insane at Williamsburg and Staunton, and of the nakedness and almost starvation present in the schools for the deaf, the blind, and the dumb at the latter places.

The treasurer of the restored government had taken with him to Richmond the sum of \$98,000, and Governor PIERPONT now sent his adjutant-general, David H. Strother, in person, to all the counties that had been represented in the general assembly at Alexandria and summoned the representatives to Richmond. They came—5 senators and 11 delegates—and they met in the governor's reception room. There he explained to them the conditions existing throughout the old Commonwealth, and that they alone could change them by legislation; and that if they would do this he would convene them in extraordinary session. They assembled, and the session began Monday, June 19, 1865, and ended Friday—the 23d—ensuing, covering a period of but five days. This body in this period removed the disability to vote, and by resolution the next general assembly was given

continued authority to remove the disqualifications to hold office. With the funds appropriated Governor PIERPONT rehabilitated the western lunatic asylum, the institution for the deaf, dumb, and blind, and the eastern lunatic asylum, all of which institutions were in extreme destitution.

Doctor R. A. Brock, the distinguished historian of Virginia, himself an ex-confederate soldier, writing in 1882 of the administration of Governor PIERPONT at Richmond, says:

Another example is now presented of an honorable and successful career attendant upon probity and persistent purpose. He also found, upon his arrival in Richmond, the United States marshal busy libeling the property of the late confederates for confiscation. A few days afterwards President Johnson issued a proclamation confiscating the estates of certain classes unless pardoned. It was stipulated that all petitions should be recommended by the governor. He soon perceived that the President was temporizing, and was led to apprehend that the "pardon mill" was a farce at least if no worse. He accordingly determined to recommend all petitions offered him. He next protested to the Attorney-General against the further iniquity of libeling property which it was never designed to confiscate, and which only entailed grievous expense on the owners. His protest was effective. He next interposed for the suppression of the class of pardon-broker harpies who obstructed the due course of the executive clemency as provided. He refused to recommend any petition which would pass into the hands of a broker, and this disarmed these rapacious thieves. He next interposed for the relief of citizens who were under civil indictment for offenses which were within the province of military authority and recommended leniency and conciliation to the courts.

He also appointed, upon the recommendation of those duly interested, efficient regents for the University of Virginia and for the Virginia Military Institute without reference to party affiliation. He had been the chief executive—governor of Virginia—seven years, six months, and twenty-six days; two years at Wheeling; one year, nine months, and ten days at Alexandria; and three years, nine months, and sixteen days at Richmond.

PIERPONT was too earnest and single minded to give himself to self-seeking. He was never a politician. He accepted the post as the head of the restored government and the duties

thereto attaching, surrounded with danger, and rather shunned than sought by his contemporaries; and having served the public ends in this most difficult position, in a most trying time, without trying to promote his own personal fortunes, he went back when his task was finished to his modest home at Fairmont, West Virginia, by the Monongahela, and sat down again to earn his living as a practicing attorney. There he lived to a ripe old age, dying in his eighty-fifth year, and is buried in Woodlawn Cemetery at that place. He continued in office as governor beyond the expiration of his term—January 1, 1868—serving until April 16 ensuing, when he was succeeded by General Henry H. Wells, appointed provisional governor by General John M. Schofield, commanding the Military Department of Virginia.

The most remarkable chapter in the history of the government of the individual American States is that which treats in detail of the restored government of Virginia from 1861 to 1868. It has been called a "reorganized government" and a "provisional government," but it was neither. The people of northwestern Virginia foreswore their allegiance to the old Virginia state government, but upon its ruins, as it were, they restored the exact form, giving a strict adherence to its constitutional and statutory forms of law. There was reorganization, but not change. They abstained from the introduction of any new elements of revolution, and they avoided as far as possible all new and original theories of government. It was an adherence to the old constitutional standard of principle, and to the traditional habits and thoughts of the people—a strict adherence "to the old model"—the Virginia government of former days. Hence it was a restoration of a governmental form well known to the people—a "restored government"—one designed for the

whole State, and not for a part of it. Its existence made possible the formation of the State of West Virginia.

And right here will you permit me to repeat the words of James G. Blaine, one of the greatest and best statesmen this country has ever produced:

West Virginia indeed got only what was equitably due and what she was entitled to claim by the natural right of self-government. The war brought good fortune to her as conspicuously as it brought ill fortune to the older State from which she was wrenched. West Virginia is to be congratulated, and her creditable career and untiring enterprise since she assumed the responsibility of self-government show how well she deserved the boon.

It was the boast of Governor PIERPONT down to the end of his life that the restored government adhered strictly to the constitution and laws of the Commonwealth of Virginia throughout all the period of its existence, save in one instance, that of reducing the quorum in the general assembly, which was done at Wheeling in July, 1861. He was a benefactor of Virginia, assisting her, as he did, to rise, phoenix-like, from her own ashes. Had there been no restored government, there would have been no State of West Virginia. From both States he merits the highest honor, and in recognition of this fact West Virginia has placed his statue in Statuary Hall of the National Capitol, that he may be represented among those who have acted wisest and best for their respective States.

It may be said of him as was said of another great American citizen:

He was a man of simple and child-like nature, as all really great men are, and of warm and generous sympathies. * * * There was nothing cramped or small about the man. He was great in the broadest, best, and completest sense of the word—a full, well-balanced, well-rounded character, a nobleman of nature, and a nobleman of education, reason, and action.

The quality in him which should be held up for the admiration and example of this and future generations is his complete and entire devotion to duty.

Mr. WOODYARD. By request, Miss Siviter will recite a poem appropriate to this occasion—Miss Siviter.

Miss Siviter recited the following poem:

You are standing midst the mighty in the Great White Hall of Fame;
On the Nation's list of heroes they have written high your name;
And the powers and princes pass you and they give you meed of praise,
But 'twas Freedom you were wooing, and not Fame, in those dark days.

Filled with manhood's high ideals, by a slave-block you stood near;
Watched the virgin crouching on it, saw her trembling, felt her fear;
And your spirit rose within you, as one lead the maid away,
And you gave yourself to Freedom—life and soul and strength—that day.

When the loud alarm of battle flung a challenge to the North,
Home and childish hands clung to you, but your country called you forth
On the strong God lays the burden when He makes a people free,
And on hearts that are most tender doth He write His stern decree.

In the shout and din of battle, she was born, the brave, free State;
Humble men stood sponsor for her, but their every deed was great—
West Virginia, child of Freedom, lift your happy head on high;
Truth and Justice are your birthright; you were born to Liberty.

But it must be, up in heaven, that the holy angels know
Of the struggles and the triumphs of those toiling here below;
And men's hearts were moved to action; so they placed you, Statesman, there
That the world might know and fear it, what is wrought by work and prayer.

Mr. WOODYARD. Honorable John W. Mason, of Fairmont, West Virginia, judge of the circuit court of the fourteenth circuit of West Virginia, and long a neighbor and warm friend of Governor PIERPONT, had accepted an invitation to deliver an historical and personal address on this occasion, but sudden and dangerous illness confines him to his home.

We are fortunate in having with us Honorable Alston Gordon Dayton, judge of the district court of the United States for the northern district of West Virginia, of Philippi, long an esteemed and intimate friend of the man whose memory we honor this day, who will speak upon the public services and the life and character of Governor PIERPONT.



Address of Honorable Alston Gordon Dayton

The primary purpose of this Statuary Hall is to perpetuate the memory of those two men in each State who had most to do in her creation or earlier upbuilding. How true West Virginia has been to this purpose in presenting this statue here to-day, as also upon how firm a foundation rests the right of FRANCIS HARRISON PIERPONT'S name and memory to this preeminent recognition, needs but a just and impartial review of those stirring times, when amid the thunders of war and carnage, West Virginia was added to the sisterhood of States.

After the lapse of forty-seven years since her admission, when the mistake of seeking to divide this nation has been universally recognized; when all men now know that we could not have lived and prospered "half slave and half free;" when another war fought in behalf of humanity and freedom has welded together our people and made us one in deed and truth as well as name, we can review this war-time birth of West Virginia without passion and without prejudice. It is but simple justice to the State, and to the memory of her patriots who risked their lives and all that she might become a State, that the widespread impressions entertained that her entrance into the Union was a trick of political manipulation, to be condoned by some as a political necessity, but nevertheless a proceeding that was of doubtful legality, should be dissipated by a truer knowledge of the facts. It is my purpose to-day, as briefly as I may, and in no spirit of controversy, to establish two propositions by a simple recital of facts.

First. That no State in the Union had a clearer title resting upon the Constitution and laws of the United States than had West Virginia with which to come and seek her right to be recognized as a State. Mark, I say legal right and clear title. Touching the Nation's reserved right of discretion to admit or

refuse and the wisdom of its favorable exercise thereof at the time, there can now be no longer question. Therefore, remembering the dangers, the losses of life and property endured, the sublime self-sacrifices made, and the loyalty and patriotism displayed, by the fathers who achieved our independent statehood, I go a step farther and say no State has a prouder history, and no brighter star appears in the azure field of our Nation's flag than the one placed there to mark the birth of the war-born child.

Second. With a profound admiration for each of those hundreds of men, who, in the storm and whirlwind of secession stood forth like giant rocks to breast and break its force; a body of men that, for courage and patriotic devotion to the cause they espoused, could not be excelled in the world's history, the Willeys, Campbells, Boremans, Lambs, Carliles, McGrews, Hubbards, Stuarts, Tarrs, Browns, Jacksons, Patricks, Halls, Dents, Goffs, Harrisons, Stevensons, Daytons, Melvins, Marshalls, Atkinsons, Davises, Flemings, Bowens, Shuttleworths, Withers, Lightburns, Polsleys, Boughniers, Garrisons, Fitches, Vandervorts, Caldwells, McClures, Logans, Wheats, Nortons, Hornbrooks, McPorters, Hagans, Johnsons, Vroomans, Bukeys, Mosses—how many, many more—who could not, would not live under any other flag but Old Glory—I say with profound admiration, yes, a deep veneration for them all, it seems to me that among them must stand out and be recognized as preeminent FRANCIS HARRISON PIERPONT, and this because in the darkest hour and gloom, when others were ready to despair, he thought out the right, the true, the legal way to save Virginia west of the Alleghenies to the Union, and at the same time give that territory independent statehood.

To demonstrate these two propositions we must not forget that Virginia's treatment of her people west of the Alleghenies

had never been either just or generous. Her dominating civilization centered itself in the lands draining to the sea and not those flowing to the Gulf. This eastern civilization, springing from the cavalier class of England, living in broad plantations along the sea and its contributory waters, maintained by slave labor and educated to refinement and luxury, had little sympathy for, or patience with, those plain, hardy, middle-class people who came from Pennsylvania, Ohio, and other Eastern and Western States into the wilderness and mountain fastnesses to hew out homes with their own hands, for they were too poor to buy slaves and too thrifty to tolerate them. It was only when the troublesome question of providing revenue came up, or when the lust to hold vast boundaries of land for future speculative purpose (a lust bred in the bone of these English Raleighs) was especially indulged, that they turned their minds to the wilderness in the West; and then they were prepared to act in accord with their own enlightened interest.

One of the results was the establishment of a land office, where these lands west of the Alleghenies were sold at 2 cents an acre. Anyone could buy as much as he pleased and where he pleased within the territory. All he had to do was to survey a line or two, mark a few trees, and lay down by protraction on a map as many thousand acres as his means would allow him to pay for into the treasury of the State, present this "survey," and secure a patent. The State would not undertake to warrant and protect its titles. Every one could take as many as he cared to pay for, but he must take at the peril of one or of forty having taken up the same land before. Thus revenue was obtained, to the relief of the planters, and their lust for land was gratified at the same time. How deplorable this policy was has been demonstrated, not only by the vast litigation produced; not alone by the great hardships incurred by the settlers themselves in these mountains who

could never feel secure in their homes because they knew not what day an older title would oust them, but by the greater fact that by this policy lands, timbers, oils, gas, and other mineral resources were dissipated which, if conserved, would have been sufficient to have paid all the expenses of the State for a thousand years. Another result came whereby the slaves of the eastern planter were by law assessed and taxed upon one basis, while the cattle and other personal property of the western mountaineer were assessed and taxed upon another and several times greater one. Still another result was, that in order to vest control of the State for all time in the slaveholding planters, the basis of legislative representation was fixed, not alone upon the free white voting population, but that of the slave one as well.

This kind of legislation did not pass without protest. Such protest began as early as 1816; became emphatic in the Staunton convention of 1825; was carried by Philip Doddridge, aided by Chief Justice Marshall, into the convention of 1829-30, and, failing there, came down to the convention of 1850-51, where some concessions were obtained only under threat on the part of the western members to withdraw.

Was it to be wondered at that, after this treatment of a half century, when it was then proposed to, and demanded of, these mountaineers that they should join these seaside planters in recreancy to the State, its memories, its traditions, its Washingtons, Jeffersons, Marshalls, Monroes; should tear down the flag; rend in twain the Constitution and make naught the Union fought and died for by their fathers—that these sturdy, brave, loyal sons of the hills should determine that at last had come the hour when they must write for themselves a new and effective declaration of independence?

What a thrilling, significant fact it was that, on that memorable 17th of June, 1861, when, in convention assembled, their

representatives, without dissenting voice, passed their declaration to restore the government of Virginia under the Union and the Union's flag, that Carlile could spring to his feet and say:

We have 56 votes recorded in favor of our declaration, and we may remember that there were just 56 signers to the Declaration of Independence.

It is said that then these strong men wept as only strong men can. But I anticipate a little. Webster, so far back as 1851, had plainly warned Virginia that in the very day in which she should make the attempt of secession her western counties would arise in their strength and throw off her authority and form an independent State. The wise men of Virginia never doubted the fulfillment of this prophesy, nor did they doubt, if the clash of arms did come, that it would be upon Virginia soil. Men like Lee and Jackson were at heart bitterly opposed to disunion; the majority of sentiment in the State was opposed to it. So clearly is this true that we need but call attention to the fact that the State in the election of 1860 had reversed its policy, refused to follow the lead of Democracy, and voted with Kentucky and Tennessee for Bell, the candidate of the conservative union or American Party. But when, on December 17, 1860, South Carolina declared to secede and other Southern States followed her lead, John Letcher, governor of Virginia, became a conspicuous illustration of how dangerous a thing it is to have a weak man in place where a strong man is needed. Letcher at heart did not want secession. On the contrary, he hoped that the States would get together somehow in convention and adjust things, either by recognizing the necessity of slavery or by repealing the restrictive laws against its extension and thus allow the sore still to fester. He wanted to wait and hope against hope. At the same time there existed already in Virginia a body of as determined, united, and, I may say, of as brilliant and talented men as seldom ever before banded together in a bad cause. They

persuaded Letcher that he ought not to bear responsibility alone; that the legislature, representing the people, was always the body that should share responsibility with the executive, and that it was for these representatives to determine Virginia's course of action. Letcher yielded and called an extra session of the legislature. This body was also in reality opposed to secession. This did not for a moment daunt this determined band of conspirators, who knew each other, had but one purpose and but one fixed and predetermined plan of action. After a week's stormy session they had cajoled, browbeaten, persuaded, and terrorized this legislative body into the idea of shirking responsibility too under the specious plea that its representation was not broad enough of the people; that a convention should be called fresh from the people for the express purpose of dealing with the problems.

Never before had a convention in Virginia been called to deal with the organic law but by express vote of the people beforehand obtained. That mattered not to these determined men. They knew conventions could be overawed, driven, controlled. The people could not. To proceed regularly and submit to a vote the calling of a convention meant the rock upon which their revolutionary scheme would go to pieces. The convention met and still it was a Union one, but its Union majority was divided, leaderless, and many attached conditions to their loyalty. On the other hand, the minority had but one object, one purpose, one plan, and a leader in the person of Henry A. Wise, as adroit, ready, brilliant, and daring as ever led a mob. This minority hypocritically, but plausibly, plead for fairness and full consideration of the claims for union and for secession. It secured a hearing for three of the ablest and most eloquent representatives of the confederacy, with which it was in constant communication the while and with which it was in full accord. These men pictured the coming glory of the new republic of the South; of

its future capture of the manufacturing industries of New England for the South, where cotton would be king; of the commercial prosperity that would come to the South's Atlantic seaboard from over the seas. In brief, it was the old temptation. The convention was taken to the top of the high mountain and shown the wealth and gold of the world, and all was promised if Virginia would yield and bow down. But still she would not. Then more drastic measures were resorted to, such as taunts and insults. The Union members were called submissionists, poltroons, and cowards, for, steadily and continuously but quietly, in accord with a well conceived and executed plan, the hot-heads, determined on secession, were being drawn into Richmond; mobs were forming; incendiary addresses were being indulged, while conservative, law-abiding people stayed at home.

It is the old story of conspiracy. When strong enough, it threw off the mask; the shot on Sumter was fired; Lincoln's call for troops came; and the ordinance of secession, in the fearful excitement following, when the streets of Richmond were filled with mobs, was reported one day and passed behind barred doors the next by a vote of 88 yeas to 55 nays. The counties west of the Alleghenies furnished 11 votes for and 32 against it. Then a scene seldom equaled was enacted. The Stars and Stripes were hauled down, tied to a horse's tail, and dragged through the streets amid the derisive shouts of thousands. The delegates from the west who had voted against the ordinance had speedily to flee for their lives. This was particularly so of FRANCIS H. PIERPONT and Waitman T. Willey, who had "cried out and spared not" in the convention in opposition to the dire heresy and wrong. When they brought back the news to the mountains the people stood and listened dumbfounded. They had not dreamed of such an outcome as this. What did it mean? They gathered in knots on the streets and corners in the towns and villages, at the country stores and crossroads,

and with bated breaths whispered to each other, "What does it mean, what does it mean?" By the log fires the old men sat and trembled, seeking to foretell the future. Young men began to get down the old guns; mothers went into quiet corners alone to weep. Everywhere talk of war commenced—war in the mountains, war at their very doors. Gloom and dread and a sense of impending parting and death universally prevailed. But not long did these men whom God, "by the touch of the mountain sod," had made hardy and strong, brave and true, remain in helpless impotency. The reaction came: Instead of asking "What does it mean?" they began to ask each other why they had been so betrayed, why they should be swept into disunion and dishonor against their wills? Why should they tear down the flag they loved, be treacherous to the Union for which every heart throb beat true? Their mountain homes were humble, but they held their altars and their household gods, and why should they be menaced, devastated, destroyed because the seashore planters willed it so? And the tide of righteous wrath and indignation rose higher daily as they saw the arrogant acts and heard the insolent taunts of the minority around them who approved the southern cause to the effect that they were helpless, had been trapped, and must go with the State and not the Nation. They saw Confederate companies forming to draw them farther and farther into the maelstrom. Their anger rose to fever heat. They would not bear it—they would stand by their faith; they would protest; they would have another convention that should repudiate the ordinance; they would secede from the seceding Virginia, form a new State of their own, to be named after the pure waters of the Kanawha, and for this State in the Union, loyal to the Stars and Stripes, they would fight and die if necessity required it. This movement for a new State originated in a mass convention that came

together, almost without notice, in Clarksburg, the home of the Goffs, the Harrisons, the Davises, and of Carlile. This meeting issued the call for the first Wheeling convention. This call was promptly responded to and immediate steps were taken to see that representatives from all the counties should be present. The *Intelligencer*, edited and controlled by A. W. Campbell—as strong, brave, true, and patriotic as any man living at the time—was trumpeting the call everywhere, and the mountaineers were burning to answer it. It is absolutely impossible for anyone who did not live through it all to conceive how fiercely, in this battle between the forces, the contest was waged for the upper hand.

It was a sad rending in thousands of homes of the most sacred ties. Fathers and brothers divided in opinion and took sides against each other. It sent Stonewall Jackson to the southern camp to die, and it sent his sister as a ministering angel to the Union wounded and dying.

The world will never know under what conditions some of those delegates to that convention were elected and what dangers they incurred in attending. As a single instance, it is unrecorded history that at Philippi, where the first battle of the war was to be fought, a confederate company had already been formed and a Confederate flag floated from the court-house cupola. It was the open threat that no Union meeting should be held there and no man should go from there to that convention. A meeting was held by five men in a shop at midnight, by a lantern's light behind blinded doors and windows, a delegate was selected who, when came the time to go, mounted his horse at midnight and at full speed thundered through the guarded bridge determined to go or die. When he returned some days after it was only to flee for his life, with a price placed upon his head.

That was a short but memorable convention that met in Wheeling on Monday, May 13, 1861. It was composed of 422 of the strongest men the counties west of the Alleghenies could produce, men whose names borne to-day by their sons are household words in West Virginia, the symbols of successful and honorable lives, examples of virile manhood in the best sense of the word. And a more loyal, patriotic body of men never gathered together on American soil. They lost no time in jumping into the midst of things. They had three sessions for the first two days and four upon the last one. It was an hour big in destiny for the mountains; at the same time, it was an hour of eminent peril. These men, strong, brave, and patriotic as they were, were also restless, impatient. The fire of indignation raged fiercely within them and the desire for immediate decisive action was almost irresistible. They knew exactly what they wanted to do. They knew that nothing short of making known their undying loyalty to the Union and at the same time securing a separation from the eastern planters would satisfy.

They knew well the work to be done, but they did not then know the orderly way, the right way, the legal way to do it; the procedure that could meet the requirements of the Constitution and laws of the United States, secure the approval of Congress, and satisfy the logical analysis of time and history. It did not take long to demonstrate that Carlile was the popular leader. He, in many respects, was the counterpart of Henry A. Wise. Brilliant, dashing, magnetic, eloquent, but erratic, he was for action, action at once, now! He wanted to form a State there and then by sheer revolutionary methods, and he made a speech in favor of his plan that swept all before it. The emotion in the hearts of those strong men burst forth; they shouted, they wept, and apparently there was but one sentiment, one conclusion, and one result—the adoption of Carlile's plan. It was the crisis. Had Carlile's plan been adopted West Virginia would not be a

State to-day. It required brave hearts and clear heads, however, to stem the tide! God be praised, they were there. Out from the ranks onto the platform came first Waitman T. Willey and then FRANCIS H. PIERPONT. Like the giants in intellect, in wisdom, in eloquence that they were, they spoke as few men in such circumstances could have spoken, for self-control, for patience, for orderly procedure, for legal methods, and they prevailed. The storm ceased. Carlile withdrew his resolution, the convention adopted a series of thirteen "resolves" declaring the ordinance of secession void; the schedule attached thereto suspending election of Members to the National Congress an usurpation of power not to be submitted to; the agreement and ordinance of the Richmond convention turning over to the confederacy the military forces of the State to be subversive of the rights of the people; calling on the people to vote against the ordinance of secession; to vote for Members of the National Congress in their districts; for loyal men for state senators and delegates; condemning the action of the Richmond convention in turning over the State to the confederacy as unconstitutional and against her material interests; providing, in case the ordinance of secession should be ratified by vote, for a general convention to meet on June 11 following, fixing the methods of its selection and basis of representation, and for a committee to attend to the details thereof; declaring for peaceable separation from eastern Virginia; their determination to support the Constitution and laws of the United States, and directing its central committee to prepare an address to the people of the State. This central committee consisted of John S. Carlile, James S. Wheat, Chester D. Hubbard, FRANCIS H. PIERPONT, Campbell Tarr, George R. Latham, Andrew Wilson, S. H. Woodyard, and James W. Paxton. The men of this day engaged in this struggle did not have time to think of their future reputations and cared little or nothing for historical credit for their writings or deeds;

therefore we do not know which one of these men wrote the address to the people which followed, but we do know that it stands as a model of its kind. And we do know that FRANCIS H. PIERPONT, as a member of this committee, of this convention, who had been expelled from the Richmond one because he was loyal and true, went home to think out, find out the right, the true, the legal way to solve the problem of how Virginia should be saved to the Union and West Virginia should be formed and admitted to statehood. It is related by so good an authority as A. W. Campbell that, to do this, he took the Constitution of the United States and sat himself down to study it line for line, word for word; that when he came to section 4 of Article IV providing—

The United States shall guarantee to every state in this Union a Republican Form of Government, and shall protect each of them against invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic violence.

like a flash the whole solution was his, and he sprang to his feet and fairly shouted, "I have it, I have it."

And how simple the solution was! How fully that greatest instrument of organic law, promulgated under the name of Virginia's deputy, and the Nation's father, George Washington, on the 17th day of September, 1787, had provided for this crisis when some of Virginia's sons, like Washington in the time ago, burned to save the Nation, while other of her sons were seeking to destroy it!

The right of secession could not be recognized for a moment. The fallacy of that logic had been thrashed out and exposed by years of previous debate. The Federal Constitution was the supreme law of the land. The Union was not a league, not a confederation, but a Nation. Virginia was an integral part of it, and as such was entitled to maintain its state government and enforce its state laws under national protection. If part of

Virginia's citizens desired to embark in rebellion and lawless conflict with the supreme law of the land, those who stood for law and the Constitution surely did not have to follow. They had but to stand fast, and the Federal Government was bound to afford them protection. If the officers of the State, "clothed with a little brief authority," should abandon their posts of duty and refuse to act, refuse to enforce the laws, the laws provided that the vacancies thereby created should be filled and government should not fail. It was all as clear as the noonday sun. Carlile had simply begun at the wrong end first, had the cart before the horse. Virginia was still in the Union, only her officers had abandoned their trust, and, more, Virginia was entitled to her Representatives in Congress, to elect her legislative agents, to enact laws for her, and see to their enforcement, and, if a legislature of Virginia thus elected under the law saw fit to grant permission to the counties west of the Alleghenies to form a new State, then the requirement of the Federal Constitution would be fully and legally met. If the counties east of the Alleghenies did not want this permission given, let them quit their rebellion, their foolish design to secede, elect their accredited membership to the legislatures, and vote the proposition down. They might be sure if they sulked and stayed away that the other counties would vote its adoption, but such result would be solely their fault. Time will not permit more than a mere mention of succeeding events. It was plain sailing after PIERPONT had found the way. The members of this first Wheeling convention went home to speak, vote, and work against the ratification of the ordinance of secession. In the last hour of its session Willey, racked with physical pain, was called upon and spoke burning words of cheer and encouragement. With clear voice and flashing eye he proclaimed:

God has blessed this country. God has blessed all the men who have loved this Union. His hand has been manifested in all our history. He

stood by Washington, its great founder and defender. He stood by our forefathers in the establishment of this Government, and by working out our glorious destiny thus far in the space of less than three-quarters of a century. God has made the American people the greatest on the earth; and I firmly believe in the hidden councils of His mysterious providence there is a glorious destiny awaiting an united American people still.

And further on, when exhorting them to go home and defeat the ordinance of secession, "pile up our glorious hills upon it; bury it deep, so that it will never make its appearance among us again," the memory of PIERPONT's indomitable, fearless, tireless energy must have flashed through his mind, for he said that for himself he wanted to go into Marion County, wanted to

Help Hall a little. Want to take FRANK PIERPONT along over there, too. They have threatened to hang him out there, and I am sure if he gets strung up first he will break the rope and I will escape.

What a true touch, humorous though it be, of appreciation of the character, sincerity, and bravery of PIERPONT! He never tired, he never stopped thinking, writing, speaking against secession and for the Union from this time on until the struggle ended. He campaigned for Lincoln in 1864 in several States. At times he faced cheering thousands, at times frenzied mobs. It mattered not. The old Puritan blood that coursed in his veins was up. He minced not his words, he spared not! Threatened to hang him? Yes, a hundred times, and a hundred times they would have hanged him if they could, and he—well, if he could have broken the ropes and got his breath again he would have finished the speech he was at the time making for the Union.

He heeded not reviling tones
Nor sold his heart to idle moans,
Though cursed and scorn'd and bruised with stones.
* * * * *
He seemed to hear a Heavenly Friend
And thro' thick veils to apprehend
A labor working to an end.

The ratification of the ordinance of secession, no matter how hard the mountaineers might strive to defeat it, was a foregone conclusion. Wise and his coadjutors had seen to that by having the convention turn over to the confederacy the military forces and the election machinery and virtually the state government. The vote was a useless form. It did not fail, however, to show that the counties west were overwhelmingly opposed to it. Then came the second Wheeling convention, the carrying out of PIERPONT'S plan to restore the government of Virginia, his unanimous selection by the convention, and subsequently by vote of the people, to its head as governor and its full recognition as legal by the National Government, the election of Representatives in Congress and of a Virginia legislature that duly and legally enacted the law granting permission for the formation of West Virginia, which the Constitution of the Union required; the removal of the capitol of this restored and legal government of Virginia from Wheeling to Alexandria and finally back to Richmond; the convention that met and framed the constitution of West Virginia; its ratification by the people; the long struggle in Congress where Willey, representing the restored government, fought so strongly against such odds, so valiantly and so successfully as to make his name immortal in our hearts. And, too, in passing, remember how dear bluff old Ben Wade, of Ohio, helped. And then PIERPONT'S telegram dictated to and sent by Campbell that persuaded Lincoln to sign the bill whereby West Virginia became a State bearing the motto "Montani semper liberi."

And what of PIERPONT? He remained faithful to his post as governor of Virginia until his term expired, until the Union was no longer in danger, then came back to the West Virginia hills, to his old home at Fairmont, to become the honored and esteemed private citizen, the pride of his family and

neighbors, the friend of the friendless and poor, to build a church, to superintend and teach in its Sunday school for more than thirty years, to live a pure and stainless life filled with good deeds. He never sought office or honors, but at the same time he never failed to take a deep and always intelligent, helpful interest in all things tending to the upbuilding of his community, his State, and his Nation. His trust in God and his faith in the future of our country grew stronger as the years of life advanced, and those closing years were full of peace and happiness. May I tell why I personally know this to be true? At the close of the political campaign of 1896 Judge Warren B. Hooker, of New York, then in Congress, and others were billed to address meetings on one day at Morgantown, on the next day at Fairmont. The Morgantown meeting was one of the largest gatherings ever held in that section of the State. It was an outpouring of the masses, and when the morning parade was over and the afternoon hour for speaking arrived, near, if not quite, ten thousand men and women faced the speaker's platform erected in the court-house square. As a token of appreciation of the presence of this throng, our governor, William E. Glasscock; our Congressman, George C. Sturgiss; E. M. Grant, Doctor Fitch, and others put their heads together and planned a surprise for us. When the time came Governor Glasscock stepped forward, resigned the honor of presiding, and introduced as chairman in his stead—Waitman T. Willey! No man can truly describe the scene that followed. The old Senator, trembling under the weight of his 85 years of life that had been filled with toil and conflict, with great sacrifices and noble deeds, was going to make his last platform speech! With difficulty he arose to his feet, in fact had to be assisted, and in feeble tones he started, "My neighbors and friends," then stopped, and stood looking off with tear-dimmed eyes

into space, his whole frame convulsed with emotion. His was always a commanding presence—it was peculiarly so at this time; smooth faced, a giant's frame of more than six feet in height and not a surplus ounce of flesh clothing it, his wonderfully expressive face, his dark, flashing, but sunken, eyes, gave him almost a supernatural appearance. Controlling himself, in sweet and simple words that brought tears to thousands of eyes, he referred to the long years he had spent in Monongalia and among her people; declared that if it were possible he would gladly call back twenty-five years to continue his associations and labors; but that was not possible, and the time had come when he must depart and the ties of affection, so long existing, must be broken. His voice grew stronger as he touched the problems confronting our State, and every sentence was fraught with an earnest, abiding solicitude for her future prosperity and upbuilding. Still stronger came the words as he advanced to the national issues. He referred to the crisis of '61, to his witnessing the tearing down of the old flag in Richmond and the indignation that surged through his soul at the sight. "But," said he, as by magic his frame straightened itself to its full height, the old fire came into his eyes, the long, bony arms shot forth, and his voice rang out like a trumpet, "my neighbors, I fear a greater crisis than that of '61 now confronts us, and much as I love my country's flag, much as I am attached to you, I say to you, standing as I am with one foot in time and the other in eternity, I would rather see you, my neighbors, my friends, haul down this flag that so proudly floats over us here to-day, attach it to the horse's tail, and, amid derisive shouts, drag it through the streets of my beloved Morgantown than have you vote for national repudiation and dishonor." And then came such an appeal for country and national integrity as will never be forgotten by those who heard it. When that meeting was over people generally declared that it

could not be equaled, and that Senator Willey's speech, for dramatic power and effect, would stand alone and unapproached, at least within the memory of those who heard it. John W. Mason, now Judge Mason, who but for sickness would be now addressing you far better than I am able to do, and other party leaders at Fairmont thought the meeting could be fully duplicated. Judge Hooker and his associates were entirely skeptical; in fact, they declared it an impossibility. When the day at Fairmont was over they admitted they were wrong. The crowd present was as large as that at Morgantown, and Mason filled his place as chairman only long enough to introduce in a few touching words West Virginia's Grand Old Man and Virginia's loyal old governor, FRANCIS H. PIERPONT, to preside in his stead and make his last platform speech. He, too, was tottering under the weight of more than the fourscore years which by reason of strength are allotted to man, and those years, too, had been filled with dangers, sacrifices, and noble deeds. He, too, had to be assisted to his feet and stood for a while supporting himself upon the shoulder of another. And his voice trembled at the start, but not long. Those present will not soon forget how that dear old kindly face soon flushed with enthusiasm, how the old eyes sparkled, and the voice rang out, and the trembling limbs straightened themselves, and he stood forth strong and jubilant as in the olden time. Willey's voice had been a trumpet, sounding forth a warning call to vigilance and the duty of meeting impending danger. PIERPONT's was the joyous note of the clear-toned bell, sounding forth the glad summons to thanksgiving and praise for a victory that a clear insight into the future, and an abiding faith in the honor and integrity of the masses, made him sure would come. As we looked on his venerable form, into his placid, kindly face, heard the old burning thoughts, clothed in his wonted eloquent language, spring to his lips, listened to his joyous words outlining

the sure and glorious future of our Nation and State, he appeared as one inspired. He seemed to be piercing the veil between the present and the future, and as we hung on his words foretelling the future of the State for which he had done so much and had loved so well—

His voice sounded like a prophet's word,
And in its glad tones were heard
The shouts of millions yet to be.

The final summons came to him soon after in Pittsburg, where he had gone to live with his children and his grandchild in the home of his devoted daughter and son-in-law. He was all ready to go. His faith was sure and steadfast and reached the beyond. And on that Sabbath day when his friends there came to look upon him for the last time they found him enveloped in the old, soiled, time-worn flag with paper stars pasted on the azure field that had a history. May I recall it?

In May, 1861, it was reported at Fairmont that a company of confederate cavalry was on its way to destroy the railroad bridge there. The news caused great joy to those whose sympathies were with the South, and this joy was expressed by the display of many confederate flags. Messengers to the Union forces went swiftly, and soon the news came that a company was on its way to the defense. This made glad the hearts of those who loved the Union, but there was one cause of regret; they had no flag with which to greet these soldiers when they came. Then it was that the devoted wife of PIERPONT gathered some of her neighboring women together and in hot haste made a flag. They did not have other material suitable to make the stars, so they cut them out of paper and pasted them on the blue field. Then Mrs. Pierpont led a shouting band of hundreds to the bridge that was to have been destroyed, and proudly planted her flag there to encourage the boys in blue and tell them when they arrived that some hearts there were loyal and true.

Yes; they enfolded him in the flag that his loved one who had left him years ago had made, and thus they bore him up the Monongahela to the mountains again, back to the old home; and the old companion in his struggles who had been educated at the same college, loved the same church, lived a like blameless life filled with heroic deeds, Senator Willey, came up those waters also that day and stood by the open grave and spoke his last words of tribute, how tender and affecting, to his friend, his copatriot, and then went back himself to die and be with him at rest.

Lord God of Sabaoth, the God of Battle, and the God of Peace, train us, sons and daughters of men like these, with their loyalty and devotion, to support and defend the Constitution of the United States against all enemies, foreign and domestic; and to bear true faith and allegiance to the same, so that we may be worthy of the heritage of the "mountains lying west of the Alleghenies."

Mr. WOODYARD. The exercises will be concluded by the benediction, by Reverend U. G. B. Pierce, D. D., Chaplain of the Senate.

Benediction by Reverend Ulysses G. B. Pierce, D. D.

And now as God was with our sires, so may He be with their sons and with our children henceforth and forever. The blessing of God, our Father, be and remain with you all. Amen.

Acceptance of Statue of
Governor Francis Harrison Pierpont

PROCEEDINGS IN THE SENATE.

MARCH 8, 1910.

Mr. SCOTT. I submit a concurrent resolution, and ask that it lie on the table subject to call.

The concurrent resolution (S. C. Res. 24) was read and ordered to lie on the table, as follows:

Resolved by the Senate (the House of Representatives concurring), That the statue of FRANCIS H. PIERPONT, presented by the State of West Virginia to be placed in Statuary Hall, is accepted in the name of the United States, and that the thanks of Congress be tendered to the State for the contribution of the statue of one of its most eminent citizens, illustrious for the purity of his life and his distinguished services to the State and Nation.

Second. That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the governor of the State of West Virginia.

APRIL 4, 1910.

Mr. SCOTT submitted the following resolution (S. Res. 209), which was considered by unanimous consent, and agreed to:

Resolved, That exercises appropriate to the reception and acceptance from the State of West Virginia of the statue of FRANCIS H. PIERPONT, erected in Statuary Hall in the Capitol, be made the special order for Saturday, April 30, 1910, after the conclusion of the routine morning business.

APRIL 30, 1910.

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

Almighty God, our heavenly Father, we thank Thee for the great love wherewith Thou hast loved us and that Thou hast not left Thyself without witness. As much as we adore the beauty and the power of Thine hand in the outer world, as clearly as we trace Thy providence in history, we thank Thee

even more, O heavenly Father, for Thy revelation in Thy children. We thank Thee for the life and for the service of him whose life we are to recall this day. Grant that the memory of such may never fade from our minds and that the example of such may kindle anew in our hearts the ardor of holy and patriotic devotion. And unto Thee, our Father and our God, will we render all praise, now and forever more. Amen.

* * * * *

Mr. SCOTT. Mr. President, I ask that the concurrent resolution submitted by me on March 8 be read by the Secretary.

The VICE-PRESIDENT. The Secretary will read the concurrent resolution as requested.

The Secretary read as follows:

Resolved by the Senate (the House of Representatives concurring), That the statue of FRANCIS H. PIERPONT, presented to the State of West Virginia to be placed in Statuary Hall, is accepted in the name of the United States, and that the thanks of Congress be tendered to the State for the contribution of the statue of one of its most eminent citizens, illustrious for the purity of his life and his distinguished services to the State and Nation.

Second. That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the governor of the State of West Virginia.

Mr. SCOTT. Mr. President, I send to the desk a letter from the governor of West Virginia, which I ask may be read.

The VICE-PRESIDENT. The Secretary will read the letter from the governor of West Virginia as requested.

The Secretary read as follows:

CHARLESTON, W. VA., April 30, 1910.

To the Senate and House of Representatives, Washington, D. C.:

Pursuant to action of the legislature of West Virginia, there has been erected in the Capitol of the United States a marble statue of the late FRANCIS H. PIERPONT, of West Virginia. In behalf of the people of this State I have the honor and the pleasure of presenting to the Government and the people of the United States this statue of one of the most famous sons of West Virginia. Governor PIERPONT is known in our history as the great war governor of the restored government of Virginia, and by the people of West Virginia he is held in high and affectionate esteem for the great aid he gave them in their effort to attain statehood. A man of simple and strenuous life, of great heart and mind, of strong conviction

and superb courage, of high ideals and lofty character, and of devotion to duty as he saw it; a man careful to discharge every obligation of the citizen, a patriot in whom there was no guile, and a public officer who knew and acted upon the knowledge that public office is created for the benefit of the people and not for the benefit of the officeholder, Governor PIERPONT will ever stand out in our country's history as a heroic character in the throes attendant upon the second birth of the great Republic—a time that tried men's souls.

Very respectfully,

WM. E. GLASSCOCK,
Governor of West Virginia

49963²—10—5

Address of Mr. Elkins, of West Virginia



Mr. PRESIDENT: To-day West Virginia honors the memory and deeds of FRANCIS H. PIERPONT, one of her most illustrious sons, by tendering to the Nation his statue in marble to be placed in Statuary Hall.

The credit of having formed the new State of West Virginia, now a great Commonwealth, with nearly a million and a half of happy, prosperous, and contented people, and destined to hold within her borders one of the densest populations in the Union, must ever remain with Governor PIERPONT and his associates.

Before the Revolutionary war the question of dividing the Colony of Virginia and giving a separate government in some form to the people of the mountain portion was agitated.

A certain amount of friction and jealousy always existed between the people of the mountain region of Virginia and those of the agricultural lands extending back from the ocean to the Allegheny Mountains. The people of the lowlands, aristocratic in their tendencies, were wealthy, and generally owners of plantations and slaves, while the people inhabiting the mountainous portion of the State, who always loved liberty, were poor and compelled to battle with nature and the elements for a livelihood.

Following the Revolutionary war for independence and for thirty or forty years preceding the late civil war the question of separation or division of the State was again raised and, off and on, became acute.

In a speech made a short time before his death, October 24, 1852, at the laying of the corner stone of a monument in the city of Richmond, Daniel Webster warned the people that in case of secession or the dissolution of the Union, Virginia would be divided into two States.

Old Virginia, which had given to the Nation so many great statesmen and great Presidents, with her proud history, her glorious and hallowed memories, and splendid traditions, chose, in an hour of passion, the way of secession—going out of the orbit of the Nation's life. This false step and the civil war that followed furnished the way to West Virginia being made a State in the Union.

The loyal and liberty-loving mountaineers of what is now West Virginia seized this opportunity and realized the fruition of the hopes cherished in the hearts of their ancestors for more than a century.

The ordinance of secession was passed by the State of Virginia on May 23, 1861, and ratified by the majority of the people on June 11, 1861. Following the passage of the ordinance, and even before its ratification, the people of northwestern Virginia, residing principally in the mountains and the valley of the Ohio River, and occupying that portion of the Commonwealth now embracing West Virginia, who were in the main loyal to the Union, called a convention to protest against the act of secession and to take steps to reorganize and restore the state government.

The first convention assembled, with this end in view, on May 13, 1861, and after a session of three days adjourned on May 16. It adopted a series of resolutions, the ninth of which is as follows:

Resolved, That inasmuch as it is a conceded political axiom that government is founded on the consent of the governed, and is instituted for their good, and it can not be denied that the course pursued by the ruling power in the State is utterly subversive and destructive of our

interests, we believe we may rightfully and successfully appeal to the proper authorities of Virginia to permit us peacefully and lawfully to separate from the residue of the State and form ourselves into a government to give effect to the wishes, views, and interests of our constituents.

This was a direct appeal to Virginia by the citizens opposed to secession, founded on good reasons, to consent to the formation of a new State.

The second convention assembled June 11 and remained in session until August 21.

It proceeded at once to form a government, calling it the reorganized government of Virginia. The proceedings of this, as well as succeeding conventions, which perfected the machinery of the restored government, were attended by many prominent citizens of West Virginia now living and highly honored.

Arthur I. Boreman was president of the first convention and afterwards became the first governor of the State of West Virginia. In this convention "A declaration of the people of Virginia represented in convention at Wheeling protesting against secession" and declaring vacant the offices of all who favored the same was adopted, which is as follows:

Viewing with great concern the deplorable condition to which this once happy Commonwealth must be reduced unless some regular adequate remedy is speedily adopted, and appealing to the Supreme Ruler of the Universe for the rectitude of our intentions, do hereby, in the name and on behalf of the good people of Virginia, solemnly declare that the preservation of their dearest rights and liberties and their security in person and property imperatively demand the reorganization of the government of the Commonwealth, and that all acts of the said convention and executive tending to separate this Commonwealth from the United States, or to levy and carry on war against them, are without authority and void; and the offices of all who adhere to the said convention and executive, whether legislative, executive, or judicial, are vacated.

On the 20th of June, 1861, the reorganized State of Virginia elected state officials, FRANCIS H. PIERPONT being named governor.

There was a regular session of the general assembly, convened December 2, 1861, which adjourned February 13, 1862.

In his message to the legislature Governor PIERPONT said:

I regret that I can not congratulate you upon the termination of the great civil war with which it has pleased Divine Providence to chasten the pride of the American people. It still rages in our midst and around our very homes. But a year ago no nation was more prosperous than this. Peace, happiness, and prosperity prevailed throughout the land. Now the elements of civil society have been broken up. Brothers are arrayed against brothers and father against son, and rapine and murder are desolating the land.

The following extract is taken from the governor's message to the third session of the general assembly, which convened December 4, 1862, and adjourned February 6, 1863:

Gentlemen, it is our fortune to live in these times of fearful responsibilities and duties. We are making history to be read by and exert its influence upon coming generations. With a deep sense of our responsibilities and with an earnest supplication to the Great Source of all strength for assistance in the discharge of our respective duties during this momentous crisis, let us enter upon the work before us.

These messages give a vivid picture of the horrors and results of civil war and show what manner of man Governor PIERPONT was; they also show the great difficulties against which he and his associates contended under most trying conditions and the tremendous responsibilities resting upon them. How true and how prophetic it was that he and his associates were making history to be read by future generations, and what glorious history it is. This history should be read and studied by our children from generation to generation. No better understanding of our Constitution and the structure of our Government could be gained than by studying the causes leading up to the great civil war and the consequences that followed.

On the 5th of February, 1863, the restored government was removed to Alexandria and made the seat of government for the State of Virginia. Simultaneous with the organization and establishment of the restored government of Virginia, steps were taken to form the State of West Virginia from a part of the old State.

By reorganizing the State of Virginia and giving it a legal existence, Governor PIERPONT placed it within the power of the State to give its consent to the formation of the new State, thus complying with the Constitution of the United States, which says:

No new State shall be formed or erected within the jurisdiction of any other State without the consent of the legislature of the State concerned.

This provision of the Constitution made it necessary to secure the consent of the State of Virginia to the division of the State, and accordingly the general assembly of the reorganized government of the State of Virginia, under proclamation of Governor PIERPONT, dated April 18, 1862, was convened in extra session at Wheeling, May 12 following. On the second day of the session, May 13, an act giving the consent of the legislature of the State of Virginia for the formation and erection of the new State within the jurisdiction of Virginia was passed.

In this way the consent of the State of Virginia to the formation of a new State was obtained, and the new State of West Virginia was formed, a constitution adopted, and application made for admission into the Union.

The Thirty-seventh Congress was then in session. The restored government of Virginia had five Members of the House of Representatives and two Senators. The movement to have the State admitted at that session did not succeed, because of the failure to make certain provisions in the constitution respecting slavery.

A constitutional convention was assembled February 12, 1863, which made the necessary changes in the constitution regarding slavery, and as amended it was again submitted to Congress, when the ordinance to admit West Virginia as a new State in the Union was passed, and on the 20th of April President Lincoln issued a proclamation declaring sixty days after the date thereof the State of West Virginia should be admitted into the Union as a new State.

On the 20th of June, 1913, the State will celebrate its fiftieth anniversary as a State in the Union. Steps have been taken to this end. There will be thanksgivings and rejoicings by all the people within her borders for the great blessings, happiness, and prosperity the State has enjoyed from the beginning and the splendid outlook the future promises. That day should be observed and celebrated in a way to impress our people and instill in the minds of our children loyalty and affection for the State and Nation. The state and national flags should float together from every school, court-house, hall, and public place in the State. There should be expressions of joy everywhere, music, patriotic airs, processions, and every demonstration of respect made and gratitude shown to the founders of the State.

Speeches should be made wherever speakers can be found to tell the story again and again of the deeds done, obstacles overcome, and sacrifices made to give to us and the unborn millions who come after us a great and rich Commonwealth. The 20th of June should be the independence day of West Virginia and legalized as a holiday for all the years to come.

President Lincoln favored the creation and admission of the State of West Virginia into the Union because he believed it was right and in accordance with law. He favored it for another reason. Looking at the map of the Union which he was trying to preserve, he saw the success of the confederacy or the secession movement meant dividing the Northern States in twain, because the northern limit of Virginia was only about 100 miles from the Lakes. This would have added to the unnumbered woes and disasters following the dissolution of the Union.

Governor PIERPONT had good blood in his veins. He was related to the distinguished family bearing his name in New York, from which State his grandfather moved, in 1770, to old Virginia, locating near Morgantown, where he built a blockhouse

for protection against the Indians, and where his father and he were born.

After attending the country schools at his home he went to Allegheny College at Meadville, Pennsylvania, and was graduated in the year 1839. He then studied and became a lawyer, being successful both in his profession and in business.

As time goes on and the clouds of the great civil war are lifted, his deeds and great achievements will be seen with clearer vision, better understood, and he will rank in history as one of the great men of his time.

His triumph will be sung,
By some yet unmolded tongue
Far on in summers that we shall not see—

and unborn poets and orators will rise up to do justice to his deeds and memory. We are too close to the great events, we are still too near the shadow of the great mountain, to trace its outline and know its height and grandeur.

While he was the life of the movement to restore the government of old Virginia, he was, at the same time, the soul of the greater movement to form the new State of West Virginia.

He was a man of high ideals, firm and just in his convictions, and fixed in his purposes. He was virile, forceful, insistent, and dominating. A devout member of the great Methodist Church, he was a religious man and always had within him the fear of God, which is the beginning of wisdom. He was made of such stuff as builders of states and empires are made.

He founded a State whose people will love and bless his memory as the suns roll on.

He loved liberty, law, order, and justice, and devoted his life to promoting all these things and helping his fellow-man.

He chained his name to undying fame and then joined the dead who never die. [Applause on the floor and in the galleries.]

Address of Mr. Dolliver, of Iowa



MR. PRESIDENT: The distinguished Senators from West Virginia have done me the honor to invite me to participate in the reception of the statue of Governor PIERPONT. I sincerely appreciate the compliment they pay me, and I have a genuine interest in this occasion, because I was born among the West Virginia hills, and this man, whose career we are celebrating and whose figure we are setting up in our Hall of Fame, was one of the legendary heroes of my boyhood. A great name; so near that we saw him and knew him and felt that high influence which his personality exercised on everybody coming in contact with him.

He seemed particularly near to us because my good old father was a Methodist preacher, and this man's house was a hospitable place for his entertainment during all the years of his itinerant ministry among the mountains of West Virginia. So this occasion has to me a little more than a historic interest, because I find it associated with all the enthusiasms of my boyhood and my young manhood, and because it recalls some of the happiest, freest years of my life.

I think we ought to say, among other things, that the artist who made this figure of Governor PIERPONT has won a very rare success in the most difficult art that has ever been practiced among men. I believe it was Mr. Emerson who said there is a certain absurdity in a statue, a certain necessary failure to produce any illusion of the imagination by the mere chiseling of marble or the mere casting of metal. Whether that is true or

not I do not know. All I know about statues is that very few of them have ever made any impression upon me, either as images of the men typified or as impressive figures for any purpose.

Our own Statuary Hall bears a pathetic witness to the fact that this art is not a very common one, either among our own countrymen or anywhere in the world; and yet this artist has succeeded in producing a figure of Governor PIERPONT very life-like, a figure so natural that those who remember the kindly and benignant face of the old governor pause reverently before it; because there is in it a suggestion of truth which does not occur very often to one who inspects the statuary in this Capitol. And so, to start with, I desire to pay a passing tribute to the genius in whose mind this figure was formed before it took shape in the marble.

There is another thing that has impressed me as I have thought of this statue. Many men have come to me to ask, "Who was Governor PIERPONT? What did he do? Why should his statue stand with Washington and the famous statesmen of other generations?" A very narrow question, because as I look at it it is not the business of the sculptor to perpetuate a man's fame. The greatest fame in the world is made ridiculous by an effort to perpetuate it by the chiseling of stone or the modeling of clay.

Washington needs no statue here or anywhere. The monument which we have builded is in some sense a barbarism, a theft from pagan ages. It is a curiosity, exciting merely the interest of travelers and tourists. The fame of Washington has not been helped by it at all, because his achievements and his career are beyond all that, and his monument lies in the recorded history of the world rather than in any feeble attempts of his countrymen to perpetuate the memory of his deeds.

The same thing is true of Lincoln. There have been several attempts in recent years to provide a fitting statue of Mr. Lincoln for this city. I doubt very much whether it had better be pursued. The Republic itself while it endures among men will be a memorial to him; and of all leaders of past generations he least of all needs the poor tribute either of the genius of our artists or of the resources of our Treasury. [Applause in the galleries.]

Nobody thinks of such a thing as building a monument to the Man of Nazareth, because the sort of service He rendered to the world, the change His ministry wrought in the movements of history, make such a thing superfluous; and men turn away from the desecration and look to the word that spoke, and as never man spoke, the thing that was done, and to the miracle that was wrought in the midst of the ages, as a complete memorial of a ministry like that.

I believe that in presenting this monument and writing upon it the name of the war governor of Virginia the State has been guided by a very intelligent sort of enthusiasm for one of its early heroes. Governor PIERPONT'S fame did need this tribute. Otherwise the things which he did and the celebrity he had among men might easily have slipped out of the memory of contemporaries and successors and the riches which he added to the history of his times been lost to the youth of the country which he served. The State did wisely to select him, because he engaged in an enterprise so essential to the welfare of the Republic that unless it be understood, unless the motives of the men who did the work are known and kept alive among our people, incalculable loss will occur to our institutions.

I do not think he was a great man in the sense in which Napoleon or Cæsar or the mighty captains of the past were great men. In fact, the more I see of all kinds of men, the less interest I take in those writings which undertake to point out

the characteristics of great men. I do not know whether Napoleon was a great man or not. I know that he waged great wars, won great victories, lost great battles, and ended somewhat ambiguously on a desert island; but I have read somewhere that he left no trace of his career in Europe that can be found to-day except his grave.

What was done in the mountains of West Virginia during the civil war left the only trace on the map of the United States that is to be found now at the end of fifty years after that conflict was ended. Not a foot of the territory of the United States was disturbed, not a line of the national boundaries was interfered with; the map went back exactly as it was, with this exception—that in a corner of Virginia there was written, now nearly fifty years ago, the name of a new State, and that State itself is more permanent than all our monuments. The object which I think the people of West Virginia have had in view is to connect with the origin of the State the name of one of the men of heroic mold, though very humble position in the world, who helped to lay its foundations.

A great man is a man who fears God, keeps His commandments, and, with an ordinary good sense, has the fortune to stand in some angle of the fight where the history of the world is being made. He becomes great because he has the opportunity of doing great things, though before the deed he may not have been lifted up among his fellow-men, and though after the deed he may fall into such obscurity as to raise questions within fifty years as to what he did and what manner of man he was. This monument is really to the State of West Virginia. It is a monument to times that we hardly yet understand. It is a sort of a memorial of our heroic age.

In the last few years I have become interested in studying original historical documents. I bought an old history of England, now out of print for more than one hundred and forty

years, the history which contains the original documentary story of the progress of parliamentary government in England, a book I think Macaulay had read, because I notice that what he has paraphrased into captivating English prose this good Frenchman, M. Rapin, had written down in extenso the documents just as they were filed, the debates just as they were spoken. And the thing about the old records that impressed me was that there is a certain rugged simplicity about every one of them. The controversy between the barons and King John is put down in language that everybody can understand. King John understood it thoroughly and acted accordingly; and it reads now not particularly like a high forum of debate, but like a dead level of dead earnest conversation with important business on hand. The speeches and letters of Oliver Cromwell have a singular simplicity of manner about them. One would hardly call them learned or eloquent, and they certainly were not long, as we sometimes have speeches these days, but they went to the root of the matter. Every convention in which he participated got impressed instantly with the ideas that were in his head.

The routine of the convention that declared our independence is a very crude thing, looked at from the standpoint of learned parliamentary discussion, and even our constitutional convention seems to have been composed of men with certain definite ideas in their minds and a certain quietness of speech rather impressive in these days of learning and eloquence and remarks without end.

But I have compared the proceedings of these mountain people of my native State with the parliamentary debates around which English liberty has been organized in all centuries, and I am not exaggerating anything when I say that the men who rode on horseback into Wheeling from the mountains and tied

their horses behind the old hotel, with which my boyhood was familiar, and inquired of a policeman where the convention was meeting—these men created a literature as lofty, as pure, as patriotic, as interpretative of the spirit of freedom as was ever made either in England or America in all the struggles which have been fought out in the progress of civil liberty.

I knew all these names; they were all household words. I do not want to be invidious about them. I would not mention any of them without the approval of the governor of West Virginia. But I picked out in my boyhood the men who in my imagination had made the State of West Virginia. I picked out one of them, possibly, because he was the brother of my grandfather, an old-time Virginia lawyer, as sturdy a character as ever entered the House of Representatives. He was in that old House before the war, during the war, and long afterwards. He belonged to a generation that was past and gone even when I knew him—William G. Brown, of Preston County.

He was a member of the Richmond convention. He voted against the ordinance of secession, and he used to interest me when I was a child by telling me that he saddled his own horse in the night and started back for Preston County because he could not sleep. I said, "Uncle William, why could you not sleep?" He said, "There were a large number of people walking up and down under my window with a rope suggesting in a loud tone of voice, 'Hang William G. Brown!'" So the old gentleman could not sleep, and having delivered his message against the ordinance of secession in a speech almost prophetic of what afterwards happened, he saddled his horse and went back to Preston County. I put him among the giants of those days, entitled to the memory of all patriotic students of American history.

Then there was Waitman T. Willey, a name I am afraid not very familiar to our times, and yet those of us who knew him and studied law with him and had the daily contact and inspiration of his great presence will never forget him, and will never forget the mark he made upon the national life.

By the side of these two was Governor PIERPONT. The Senator from West Virginia [Mr. Elkins] said that he had a college education. I suppose that is true, and yet he did not use that very much in the rough business of the life which he lived among that people. Here is his speech in that convention. I find in it no classical allusions of any sort, no ornaments of learning, but a straight, relentless statement of the situation of the mountain counties of Virginia. His idea was that when people were about to be hung it was important to get together and hang the people who were conspiring against the safety and comfort of the population. It was on that theory and in that spirit that he joined the first convention in West Virginia.

I say that he was a great man only in this, that he had the intuitive perception to realize the character of the crisis. He had that unfailing common sense which is the greatest faculty of the human mind, whatever men may say, to do the thing that was wise and needed at the time to master the situation and administer it for the welfare of the people.

There is something interesting about the childlike simplicity of the old man, shrinking from any responsibility except the responsibility of doing what ought to be done. He did not want to be governor; he did not want to be Senator.

The position of governor of the reorganized State of Virginia was not a position for which there were many candidates, for the reason that the State of Virginia had retired from the Union and had joined by a treaty of peace and concord and amity a

foreign power, according to the official documents, and had every arrangement made to greatly diminish the number and the activities of such persons within her borders as were discontented with that situation. So an office that usually would have had a good many candidates for it did not present a field of very active rivalry; but by common consent they passed over the orators and lawyers and statesmen who thronged the convention, and they said, "Mr. PIERPONT, will you do this work?" It was in vain he said that there were others better calculated for it than he was. They said, "We want you to do this work; everybody has confidence in you." And he did the work without any fear, except the fear of God.

I have here a letter which he wrote to his wife within an hour after the convention had selected him as the governor of the State of Virginia. I intend to read it, because under such circumstances it becomes an authentic interpretation of the man's life. Here are his words, which no eye was to see except the woman whose fortunes were bound up in his:

The convention to-day unanimously conferred on me the position of governor of Virginia. In this revolution divine Providence only knows what will be the result of this step. I have sincerely asked for His guidance and protection. The way has been opened through my instrumentality to assume the shape it has. It may be a good God has in His Providence placed me in this position for wise purposes of His own. Though all around seem to look on it as the hour of my triumph, yet to me it was the most trying day of my life. I earnestly pray for wisdom from on high.

A sentiment like that puts this man among the saints of God of all ages. And it is an interesting fact that no step was ever taken in the progress of liberty among men that did not leave in the literature of the situation evidence of this sublime faith in the providence of God.

But it is said that the convention at Richmond had the same faith in God's providence. That is true. We are living in a

very strange world. The old Psalmist, King of Israel, understood this world probably better than any other man who ever lived in it. Sometimes he throws into a single sentence explanations of the mysteries that surround us. How do men pray to God for victory in causes that are opposed to each other? What does the old Psalmist say?—

Like as a father pitieth his children, so the Lord pitieth them that fear him.

For He knoweth our frame; He remembereth that we are dust.

Would the good Lord pity people who were striving in the light of day for worthy objects directly in line with His will? Not at all. The fact that the good Lord looks with pity upon his children is at least a suggestion that our blunders, our mistakes, our shortcomings excite not vengeance, but only divine compassion; pity that we are dust, pity that our frame is so frail. So all efforts of men to serve Him, all the heathenisms of other ages, all the errors and heresies of faith in all centuries—these are not things for strife, because God, knowing our frame, looking with sympathy upon His children, has an eye of pity even for our blunders and for our misfortunes.

It can not be denied that the purposes of Providence lay with Governor PIERPONT at Wheeling rather than with Governor Letcher at Richmond. No man fathoms these mighty upheavals of nations, and yet now, at the end of fifty years, it is no offense to say, and as a filial descendant of the Commonwealth I do not hesitate to say, that the counsel at Richmond was a counsel of blindness and confusion and that this counsel in the mountains of West Virginia, where men on horseback undertook to restate the civil rights of the community, was a counsel almost inspired in its insight into plans of Providence. Long since all the bitterness of strife has been forgotten, but it is a dull mind which can not see that those mountaineers understood the increasing

purpose which runs through the ages a good deal better than it was understood at Richmond, and that what they did has had not only the sanction of history, but the sanction which is exemplified in the uninterrupted blessing and favor of Almighty God.

The formation of the State of West Virginia was not a sudden agitation. The debate at Wheeling indicates that for a generation the mountaineers had been trying to get away from Richmond. They complained that the wealth of the State and the power of the State was on the east side of the mountains. They complained that they could not reach the capital except on horseback. They complained that their commerce was with the Ohio River and with Pittsburg rather than with the James and with Norfolk. For a generation there had been unrest and uncertainty of the future in the minds of those mountaineers. Besides that there was little or no slavery in the mountains; not that those people were better than other people in Virginia, but because slavery was not profitable in the mountains, and so it had made no foothold there; and seeing the institution of slavery afar off, those mountaineers had not lost the prejudice against it which Washington and Jefferson had, and which was universal in the States in still later times.

And so they claimed, on account of unequal tax levies, that they were not getting as much out of Virginia as they were putting in. They had one-third of the territory and one-third of the population, but they did not have any canals or public works. The only visible evidence of the bounty of Virginia on the west side of the mountains was the insane asylum at Weston, since developed into a very great institution. But with that exception, the century of taxpaying into the treasury at Richmond produced no tangible evidences of their connection with the public funds of the State of Virginia.

And so those mountaineers were grumbling, and occasional public meetings had been held for twenty-five or thirty years looking toward a partition of the State, in order that that portion of it which was commercially connected with the Ohio River might not be under bondage to a state government the influence and bounty of which seldom extended beyond the Allegheny Mountains. And so, in a certain sense, they were ripe for the new agitation.

Now, I do not intend to debate the constitutional law that is involved in the creation of the State of West Virginia. When I was a boy it was a very common subject of debate and a very bitter subject. I have more than once been engaged in debate down there in West Virginia that resulted in the crude and unattractive form of argument known as fist fighting. Such were the passions that were alive even when I was a boy, and those passions are still alive when we stir them up now, and for that reason I do not intend to debate it. It was a very debatable question.

Here were thirty-four counties in Virginia. Virginia seceded from the Union, threw off the Constitution, and declared it void and no longer applicable to them; allied itself with a foreign power; and here are these thirty-four counties calling a popular convention to reorganize the State. Well, they kept pretty close to the ancient precepts and landmarks of civil liberty. They had the Bill of Rights of Virginia in one hand and a few additions on their own account in the other when they held that convention.

After they got Virginia reorganized, they elected members of Congress, my uncle, William G. Brown, one of them, with Waitman T. Willey and John S. Carlile in the Senate.

Now, when the Senate and House received those gentlemen as representatives from the State of Virginia the folks down

in the foothills thought that was a pretty good indorsement of the claim that they were the State of Virginia. But they had no sooner got their men seated here than the legislature, acting for the thirty-four counties claiming to be the State of Virginia, passed a simple little resolution giving the consent of the State of Virginia to the erection, within certain boundaries, of a new State to be called West Virginia. They started out to call it Kanawha, but they feared the people would not generally be able to pronounce that, and for fear it might be taken as a sort of desire to get away from the memories and history of the Old Dominion, they wrote it down West Virginia. As soon as they had given the consent of Virginia to the erection of the northwestern counties into the State of West Virginia, they prepared a constitution and came down here and offered themselves for admission into the Union, and it produced about as interesting a constitutional controversy as ever occurred in the history of any country.

It bothered Abraham Lincoln a good deal. He had a great Cabinet, but from what I can find out, reading biographies of those of them that left literary remains, it was not an altogether harmonious body. Nevertheless, when the question of signing the bill and admitting the State of West Virginia into the Union came up, Mr. Lincoln thought he should go to the bottom of it, and so he wrote to each member of his Cabinet to let him know his views about the law and about the expediency of signing the bill; and each one of them replied in writing. I wish that practice could be perpetuated and the replies printed occasionally so that we might know better than we do now what is going on in the executive departments.

This book, which I regard as the greatest biography that has ever appeared in any language of the world—Abraham Lincoln: A History, by Nicolay and Hay, two men who knew

him better than anybody else—contains the answer of each one of the members of the Cabinet.

I do not intend to read them, but I intend to print them just the same as if I had read them.

The Cabinet divided equally on the question. Mr. Seward says, "Yes; the thing is perfectly constitutional and absolutely right and expedient." Mr. Chase said, "Yes; nobody can question the constitutionality of it, and, so far as its expediency is concerned, the only thing wrong about it is it was a little slow in coming." Mr. Stanton, a great Democrat, the man who wrote to Buchanan the day after the battle of Bull Run that the Government was gone to pieces simply because Lincoln had not sense enough to administer it, made his report, and I believe I will read that, because one would naturally expect, if anybody would be opposed to it, Stanton would be the man. Mr. Stanton made a very brief statement of his views. He says:

The Constitution expressly authorizes a new State to be formed or erected within the jurisdiction of another State. The act of Congress is in pursuance of that authority. The measure is sanctioned by the legislature of the State within whose jurisdiction the new State is formed. When the new State is formed, its consent can be given, and then all the requirements of the Constitution are complied with. I have been unable to perceive any point on which the act of Congress conflicts with the Constitution. By the erection of the new State the geographical boundary heretofore existing between the free and slave States will be broken, and the advantage of this upon every point of consideration surpasses all objections which have occurred to me on the question of expediency.

So he thinks it was not only constitutional, but absolutely right and expedient.

The other three took the very opposite opinion. Mr. Welles, the Secretary of the Navy, said it was all wrong; that it was a scandalous advantage taken of revolutionary conditions to misrepresent the situation. The Attorney-General, Mr. Bates—I do not know much about him, either for or against, but this

book, the proceedings of the West Virginia convention, indicates that he had what would now be called the typewriter habit; that he was writing down there and telling them what to do, and, curiously enough, he wrote one thing to one fellow and when that letter was read another fellow got up and said that he also had heard from him, and read another letter, apparently the very opposite. So I do not put much confidence in his constitutional views. He was satisfied that it was a fraudulent transaction and would scandalize everybody concerned with it. A similar view was taken by Mr. Blair. I will print them all, partly for the purpose of preserving the history of this transaction and partly for the purpose of showing how much wiser a man sat at the head of that Cabinet than any or all of them put together that surrounded his table.

On the 23d of December, 1862, the President addressed the following note to his constitutional advisers: "A bill for an act entitled 'An act for the admission of the State of "West Virginia" into the Union, and for other purposes,' has passed the House of Representatives and the Senate and has been duly presented to me for my action. I respectfully ask of each of you an opinion, in writing, on the following questions, to wit: First. Is the said act constitutional? Second. Is the said act expedient?" Six members of the Cabinet answered this request with written opinions; the Secretary of the Interior, Caleb B. Smith, the seventh member, had recently retired from the Cabinet, having been appointed to a judgeship in Indiana and his successor had not yet been named. Three members—Seward, Chase, and Stanton—answered the questions in the affirmative, the other three—Welles, Blair, and Bates—in the negative.

Upon the constitutional point Mr. Seward's argument, in part, ran thus:

"It seems to me that the political body which has given consent in this case is really and incontestably the State of Virginia. So long as the United States do not recognize the secession, departure, or separation of one of the States, that State must be deemed as existing and having a constitutional place within the Union, whatever may be at any moment exactly its revolutionary condition. A State thus situated can not be deemed to be divided into two or more States merely by any revolutionary proceeding which may have occurred, because there can not be, constitutionally, two or more States of Virginia.

"The newly organized State of Virginia is therefore at this moment, by the express consent of the United States, invested with all the rights

of the State of Virginia and charged with all the powers, privileges, and dignity of that State. If the United States allow to that organization any of these rights, powers, and privileges, it must be allowed to possess and enjoy them all. If it be a State competent to be represented in Congress and bound to pay taxes, it is a State competent to give the required consent of the State to the formation and erection of the new State of West Virginia within the jurisdiction of Virginia."

"Upon the question of expediency," wrote Mr. Seward, "I am determined by two considerations: First. The people of Western Virginia will be safer from molestation for their loyalty, because better able to protect and defend themselves as a new and separate State, than they would be if left to demoralizing uncertainty upon the question whether, in the progress of the war, they may not be again reabsorbed in the State of Virginia and subjected to severities as a punishment for their present devotion to the Union. The first duty of the United States is protection to loyalty wherever it is found. Second. I am of opinion that the harmony and peace of the Union will be promoted by allowing the new State to be formed and erected, which will assume jurisdiction over that part of the valley of the Ohio which lies on the south side of the Ohio River, displacing, in a constitutional and lawful manner, the jurisdiction heretofore exercised there by a political power concentrated at the head of the James River."

On the question of constitutionality Mr. Chase argued, in part:

"In every case of insurrection involving the persons exercising the powers of state government, when a large body of the people remain faithful, that body, so far as the Union is concerned, must be taken to constitute the State. It would have been as absurd as it would have been impolitic to deny to the large loyal population of Virginia the powers of a state government, because men whom they had clothed with executive or legislative or judicial powers had betrayed their trusts and joined in rebellion against their country. It does not admit of doubt, therefore, as it seems to me, that the legislature which gave its consent to the formation and erection of the State of West Virginia was the true and only lawful legislature of the State of Virginia. The Madison Papers clearly show that the consent of the legislature of the original State was the only consent required to the erection and formation of a new State within its jurisdiction. That consent having been given, the consent of the new State, if required, is proved by her application for admission. Nothing required by the Constitution to the formation and admission of West Virginia into the United States is therefore wanting, and the act of admission must necessarily be constitutional. Nor is this conclusion technical, as some may think. The legislature of Virginia, it may be admitted, did not contain many members from the eastern counties. It contained, however, representatives from all counties whose inhabitants were not either rebels themselves or dominated by greater numbers of rebels. It was the only legislature of the State known to the Union.

"If its consent was not valid, no consent could be. If its consent was not valid, the Constitution, as to the people of West Virginia, has been so suspended by the rebellion that a most important right under it is utterly lost."

With regard to the question of expediency, he writes:

"The act is almost universally regarded as of vital importance to their welfare by the loyal people most immediately interested, and it has received the sanction of large majorities in both Houses of Congress. These facts afford strong presumptions of expediency. It may be said, indeed, that the admission of West Virginia will draw after it the necessity of admitting other States under the consent of extemporized legislatures assuming to act for whole States, though really representing no important part of their territory. I think this necessity imaginary. There is no such legislature, nor is there likely to be. No such legislature, if extemporized, is likely to receive the recognition of Congress or the Executive. The case of West Virginia will form no evil precedent. Far otherwise. It will encourage the loyal by the assurance it will give of national recognition and support, but it will inspire no hopes that the National Government will countenance needless and unreasonable attempts to break up or impair the integrity of States. If a case parallel to that of West Virginia shall present itself, it will doubtless be entitled to like consideration; but the contingency of such a case is surely too remote to countervail all the considerations of expediency which sustain the act."

The answer of Mr. Stanton accords with his habitual positiveness of opinion and brevity of statement:

"The Constitution expressly authorizes a new State to be formed or erected within the jurisdiction of another State. The act of Congress is in pursuance of that authority. The measure is sanctioned by the legislature of the State within whose jurisdiction the new State is formed. When the new State is formed its consent can be given, and then all the requirements of the Constitution are complied with. I have been unable to perceive any point on which the act of Congress conflicts with the Constitution. By the erection of the new State the geographical boundary heretofore existing between the free and slave States will be broken, and the advantage of this, upon every point of consideration, surpasses all objections which have occurred to me on the question of expediency.

"Many prophetic dangers and evils might be specified, but it is safe to suppose that those who come after us will be as wise as ourselves, and if what we deem evils be really such, they will be avoided. The present good is real and substantial; the future may safely be left in the care of those whose duty and interest may be involved in any possible future measures of legislation."

One or two extracts from the opinion of Mr. Welles will indicate the course of his argument in the negative:

"Under existing necessities an organization of the loyal citizens, or of a portion of them, has been recognized and its Senators and Representatives

admitted to seats in Congress. Yet we can not close our eyes to the fact that the fragment of the State which in the revolutionary tumult has instituted the new organization is not possessed of the records, archives, symbols, and traditions or capital of the Commonwealth. Though calling itself the State of Virginia, it does not assume the debts and obligations contracted prior to the existing difficulties. Is this organization, then, really and in point of fact anything else than a provisional government for the State? It is composed almost entirely of those loyal citizens who reside beyond the mountains and within the prescribed limits of the proposed new State. In this revolutionary period, there being no contestants, we are compelled to recognize the organization as Virginia. Whether that would be the case, and how the question would be met and disposed of were the insurrection this day abandoned, need not now be discussed. Were Virginia or those parts of it not included in the proposed new State invaded and held in temporary subjection by a foreign enemy instead of the insurgents, the fragment of territory and population which should successfully repel the enemy and adhere to the Union would doubtless during such temporary subjection be recognized, and properly recognized, as Virginia.

"When, however, this loyal fragment goes further and not only declares itself to be Virginia, but proceeds by its own act to detach itself permanently and forever from the Commonwealth and to erect itself into a new State within the jurisdiction of the State of Virginia, the question arises whether this proceeding is regular, legal, right, and, in honest good faith, conformable to and within the letter and spirit of the Constitution. Congress may admit new States into the Union, but any attempt to dismember or divide a State by any force or unauthorized assumption would be an inexpedient exercise of doubtful power, to the injury of such State. Were there no question of doubtful constitutionality in the movement the time selected for the division of the State is most inopportune. It is a period of civil commotion, when unity and concerted action on the part of all loyal citizens and authorities should be directed to a restoration of the Union and all tendencies toward disintegration and demoralization avoided."

Mr. Blair's argument, also in the negative, was in part as follows:

"The question is only whether the State of Virginia has consented to the partition of her territory and the formation of that part of it called western Virginia into a separate State. In point of fact, it will not be contended that this has been done, for it is well known that the elections by which the movement has been made did not take place in more than a third of the counties of the State, and the votes on the constitution did not exceed 20,000. The argument for the fulfillment of the constitutional provisions applicable to this case rests altogether on the fact that the government organized at Wheeling (in which a portion of the district in which it is proposed to create a new State is represented with a few of the eastern

counties) has been recognized as the government of the State of Virginia for certain purposes by the executive and legislative branches of the Federal Government, and it is contended that by these acts the Federal Government is estopped from denying that the consent given by this government of Virginia to the creation of the new State is a sufficient consent within the meaning of the Constitution. It seems to me to be a sufficient answer to this argument to say:

"First, that it is 'confessedly merely technical, and assumes, unwarrantably, that the qualified recognition which has been given to the government at Wheeling for certain temporary purposes precludes the Federal Government from taking notice of the fact that the Wheeling government represents much less than half the people of Virginia when it attempts to dismember the State permanently. Or, second, that the present demand of itself proves the previous recognitions relied on to enforce it to be erroneous, for, unquestionably, the fourth article of the Constitution prohibits the formation of a new State within the jurisdiction of an old one without the actual consent of the old State; and if it be true that we have so dealt with a third part of the people of Virginia as that to be consistent we should now permit that minority to divide the State, it does not follow that we should persist, but, on the contrary, it demonstrates that we have heretofore been wrong; and if consistency is insisted on and is deemed necessary, we should recede from the positions heretofore taken. As to the expediency of the measure, I do not think it either necessary to recede from those positions or proper to take the new step insisted on now. There is no positive prohibition in the Constitution against the action taken by the Senate and House of Representatives in relation to the recognition of the Wheeling government or in relation to the action taken by the Executive, and all that can be said, if we reject the claim of the Wheeling government to represent the people of Virginia for the purpose now under consideration, will be that it admits our previous action to have been irregular.

"The answer to this is that, if not regular, it was substantially just, and the circumstances of the case excuse the irregularity. For it was proper that the loyal people and the State of Virginia should be represented in Congress, and the representation allowed was not greater than their numbers entitled them to. But whilst it was just to the people of western Virginia, whose country was not overrun by the rebel armies, to allow this representation, and for this purpose and for the purposes of local government to recognize the state government instituted by them, it would be very unjust to the loyal people in the greater part of the State, who are now held in subjection by rebel armies, and who far exceed in number the 20,000 who have voted on the constitution for western Virginia, to permit the dismemberment of their State without their consent."

The opinion of Attorney-General Bates was long and elaborate, and only a small part of it can be quoted here to show the course and spirit of his argument in the negative:

"We all know—everybody knows—that the government of Virginia recognized by Congress and the President is a government of necessity, formed by that power which lies dormant in every people, which, though known and recognized, is never regulated by law, because its exact uses and the occasions for its use can not be foreknown, and it is called into exercise by the great emergency which, overturning the regular government, necessitates its action without waiting for the details and forms which all regular governments have.

"It is intended only to counteract the treacherous perversion of the ordained powers of the State, and stands only as a political nucleus around which the shattered elements of the old Commonwealth may meet and combine, in all its original proportions, and be restored to its legitimate place in the Union. It is a provisional government, proper and necessary for the legitimate object for which it was made and recognized. That object was not to divide and destroy the State, but to rehabilitate and restore it. That government of Virginia, so formed and so recognized, does not and never did, in fact, represent and govern more than a small fraction of the State—perhaps a fourth part. And the legislature which pretends to give the consent of Virginia to her own dismemberment is (as I am credibly informed) composed chiefly, if not entirely, of men who represent those forty-eight counties which constitute the new State of West Virginia. The act of consent is less in the nature of a law than of a contract. It is a grant of power, an agreement to be divided. And who made the agreement, and with whom? The representatives of the forty-eight counties with themselves! Is that fair dealing? Is that honest legislation? Is that a legitimate exercise of a constitutional power by the legislature of Virginia? It seems to me that it is a mere abuse, nothing less than attempted secession, hardly veiled under the flimsy forms of law."

Between the conflicting and evenly balanced counsel the deciding opinion of President Lincoln becomes doubly interesting. The complete document reads as follows. Mr. Lincoln made a memorandum when he signed it, and it is worth listening to. He wrote:

The consent of the legislature of Virginia is constitutionally necessary to the bill for the admission of West Virginia becoming a law. A body claiming to be such legislature has given its consent. We can not well deny that it is such, unless we do so upon the outside knowledge that the body was chosen at elections in which a majority of the qualified voters of Virginia did not participate. But it is a universal practice in the popular elections in all these States to give no legal consideration whatever to those who do not choose to vote as against the effect of the votes of those who do choose to vote. Hence it is not the qualified voters, but the qualified voters who choose to vote, that constitute the political power of the State.

A very profound observation, applicable to many aspects of our contemporaneous politics of to-day. A man who does not vote is not in a position to complain about anything that has been done on a subject.

Much less than to nonvoters should any consideration be given to those who did not vote in this case, because it is also a matter of outside knowledge that they were not merely neglectful of their rights under and duty to this Government, but were also engaged in open rebellion against it. Doubtless among these nonvoters were some Union men whose voices were smothered by the more numerous secessionists, but we know too little of their number to assign them any appreciable value. Can this Government stand if it indulges constitutional constructions by which men in open rebellion against it are to be accounted, man for man, the equals of those who maintain their loyalty to it?

There was a habit of Abraham Lincoln's mind that no other mind except possibly that of the old Greek, Socrates, has exhibited—the art, by a simple question, of reaching the heart of a controversy. Now, listen to what he said:

Are they to be accounted even better citizens and more worthy of consideration than those who merely neglect to vote? If so, their treason against the Constitution enhances their constitutional value. Without braving these absurd conclusions we can not deny that the body which consents to the admission of West Virginia is the legislature of Virginia. I do not think the plural form of the words "legislatures" and "States" in the phrase of the Constitution "without the consent of the legislatures of the States concerned," etc., has any reference to the new State concerned. That plural form sprang from the contemplation of two or more old States contributing to form a new one. The idea that the new State was in danger of being admitted without its own consent was not provided against, because it was not thought of as I conceive. It is said the devil takes care of his own. Much more should a good spirit—the spirit of the Constitution and the Union—take care of its own. I think we can not do less than live.

But is the admission into the Union of West Virginia expedient? This, in my general view, is more a question for Congress than for the Executive. Still I do not evade it. More than on anything else, it depends on whether the admission or rejection of the new State would, under all the circumstances, tend the more strongly to the restoration of the national authority throughout the Union. That which helps most in this direction is the most expedient at this time. Doubtless those in remaining Virginia would return to the Union, so to speak, less reluctantly without the division of the old State than with it, but I think we could not save as much in this quarter by rejecting the new State as we should lose by it in West Virginia. We

can scarcely dispense with the aid of West Virginia in this struggle; much less can we afford to have her against us in Congress and in the field. Her brave and good men regard her admission into the Union as a matter of life and death. They have been true to the Union under very severe trials. We have so acted as to justify their hopes, and we can not fully retain their confidence and cooperation if we seem to break faith with them. In fact, they could not do so much for us, if they would. Again, the admission of the new State turns that much slave soil to free, and thus is a certain and irrevocable encroachment upon the cause of the rebellion. The division of a State is dreaded as a precedent. But a measure made expedient by a war is no precedent for times of peace. It is said that the admission of West Virginia is secession and tolerated only because it is our secession. Well, if we call it by that name, there is still difference enough between secession against the Constitution and secession in favor of the Constitution. I believe the admission of West Virginia into the Union is expedient.

When you celebrate your fiftieth anniversary you can exhibit the handwriting of the man who has had more to do with the progress of modern civilization than any other man who has lived in the world in these latter centuries.

So the old State of Virginia has lost a good deal, and yet not so much as it expected to lose. State lines are now less important as to our commerce than they were then. It makes very little difference in the commerce of a community where the state line is. I said once, when I was younger, and I have never had a good opportunity to take it back until now, that a state line is not nearly so important in a practical sense as is a line fence in the United States. I have very little interest in state rights, although I find myself acquiring a very large interest in state duties and state opportunities to serve the community. The old State lost a good deal. One thing they lost, and that was the hardest and bravest and finest little community in the world. They were a choice lot, these hardy Scotch-Irish men of the mountains and valleys of old Virginia. They loved the old Commonwealth. One of the old farmers said in the convention that it broke his heart to think of not including Mount Vernon in the new State. He said he did not

think that he could live in this world with the grave of Washington outside of the boundaries of the State in which he had been born. They had a love for the old traditions as tender as the love of a woman; yet they had their grievances, and they made up their minds to defend their rights.

History sometimes reads almost like a satire on human affairs. It has been said that He who sitteth in the heavens sometimes laughs at what is going on here in the world. If that is so, what a jocose aspect this drama of the secession of the States from the Union must have had. The Union of these States was not made by constitutions or by laws. God made this nation when He made this continent, and it is no more possible to destroy it than it was possible to turn the rivers in it back on their sources or cut our mountain ranges in two. That is the reason that love for the Union was so common all over Virginia, whatever the vote was on the subject of secession; that is the reason why men cast their lot with the old State, with tears running down their cheeks; that is the reason why clear down to Louisiana there were whole parishes and communities of men who were willing to fight for the Union; that is the reason why the mountaineers of Kentucky and Tennessee and Virginia, rising up as one man, prevented the dissolution of the Union. Those men were mad who undertook to turn aside the purpose of God to make one nation on this continent. I do not impeach their motives; it is not necessary, and it is not becoming to do so. Men do not take their lives in their hands without good motives; but they were mad; they were unable to see the direction of the world's greatest affairs.

The nation is not a political institution, but it is a moral personality, exactly as a person is, and you might just as well undertake to take apart the arms and legs and vital organs of a man, in order to get a better situation for him in

this world, as to undertake to divide this moral personality which constitutes the life of our institutions on this continent.

When the State of West Virginia left the old State, her people did not know it at the time, but they took with them not only one-third of the population, but a storehouse of natural wealth and resources unknown anywhere else in the world. This population of hardy farmers, digging a little coal to burn, who, out of their love for the Union, established a new Commonwealth, have seen in the last fifty years grow up in West Virginia an industrial civilization that is the pride and the glory not only for the young Commonwealth, but of all the sister States of the Union. Her population has increased; her system of education has been enlarged; schools and newspapers and all the instrumentalities of civilization have flourished among that people, and to-day the young Commonwealth rivals the older States of the Union in the prospects of its material advancement and prosperity.

I congratulate the State that in picking out somebody for honor and everlasting fame in this Capitol they have chosen a man so representative of the life that is lived in those mountains—a humble sort of man, hardly to be called great, as that word is used by historians and novelists, but great in the large sense that he had the heart and the brain to interpret the events of his own time and to lead his people in the direction of happiness, safety, and prosperity. [Applause on the floor and in the galleries.]

Address of Mr. Heyburn, of Idaho



MR. PRESIDENT: The tribute that has been paid to the State of West Virginia and to the man who more than any other stands for the State as its sponsor has been so eloquent, so full of history and of wise conclusions drawn from it, that I am embarrassed to know just what may be added to those remarks.

Statues of marble are not carved as monuments to the deeds of men or their accomplishments; they are carved to perpetuate the personal figure of the man responsible for the deed. It is difficult, in selecting from among the men who have been identified with the life of a nation, a community, or an epoch, to determine who shall best stand for the great conditions to be represented. We have in this carved marble the personal appearance, the image of Governor PIERPONT; but there are monuments to Governor PIERPONT that stand beyond the walls of this Capitol that will in all time, even after the marble figure has crumbled or been broken, pay an immortal tribute to that man's actions.

The geographical lines that mark the State of West Virginia upon the face of the earth are an enduring monument that will not fade while this Government lives. The civilization that marks the State of West Virginia and distinguishes it among the States of the Union is the real monument to the memory of Governor PIERPONT.

I recall no man in history who undertook a greater, a more difficult, and more uncertain duty than was undertaken by Governor PIERPONT in the hour in which he wrote that beautiful letter to his wife. Impressed as he was in that hour by the

responsibility that he had assumed, his first thought went out to the sharer of his responsibilities as well as the joys of his life. That letter, in the minds of men, is a monument to the character of the man than which no better or greater monument will ever be erected.

To assume the duties of governor of the State of Virginia in that hour was an heroic deed that is unsurpassed in the history of this or any other country. To undertake to maintain a state government that should be true and loyal to the Union in that hour within its borders required more courage than was possessed by the soldiers who went there from without its borders to defend it. Not only the duties, but the responsibilities undertaken by Governor PIERPONT when he assumed his duties as governor of Virginia—the whole State of Virginia—were almost beyond possible comprehension in this hour.

It must be borne in mind that when he was appointed governor the boundaries of Virginia included West Virginia. His home was in that portion of Virginia that is now West Virginia. He went out from that home into the very camp of the enemy of his State and of his country; set up a state government in the little town of Alexandria, and he maintained it there on the very firing line of the rebellion during all the years of that war. When peace came he dared to take the capital of the State into the old capital of the rebellion; he held it there; and maintained there the government of the State of Virginia for three years after the war. That was as heroic a deed as any man ever did in the history of a nation. While peace had been compelled, yet the sentiment of the war and the sentiment of opposition to the Union was there in Richmond, Va., when this hero steadily maintained the duties and the dignities of a State.

I can not understand why men should stammer in identifying Governor PIERPONT with those great events. After I had been requested to participate in these ceremonies I took up the

history of that hour as it was written in the journals of that day, and I found there written articles denouncing this man around his home and his official place of business that are as startling as anything in the history of this country. There had been no reconciliation in that city of Richmond during those times until the officers of the United States went down there in their capacity as military commanders to support him in his efforts. It was a trying situation and his life was daily in jeopardy.

This is the man to whom to-day we do honor. We place his image in the Capitol as a reminder so long as it may stay there as an index to true patriotism, and no man will hereafter pass through that hall and gaze upon that statue without either remembering or inquiring who Governor PIERPONT was. That is the highest function that this statue will perform. It matters but little to the individual whether or not his statue or his image shall stand in a prominent place when he is, as was Governor PIERPONT, absorbed in the performance of a high duty without hope of reward.

When West Virginia became one of the States of the Union he did not enter the political field in contest for office; he retired to his home and, with two exceptions, did not leave it except for his own pleasure.

He was appointed to high position by the President of the United States, and filled the office to the satisfaction of the people. Then he returned to the home of his early selection, and there, until a very few years ago, he resided. He died in the city of Pittsburg, where he was temporarily visiting with his daughter, but his body was carried back to the soil of the State that owed its existence, in a large measure, to his patriotism, his intelligence, and his endeavor, there to rest, I trust, under such a monument as will make it impossible for the people

of that State ever at all to be led to inquire who was this man whose grave is thus marked.

It is proper that the eulogies pronounced upon this occasion should come rather from those who have been identified with the State. The Senator from Iowa [Mr. Dolliver], who was born within the State, has paid a tribute so beautiful and so impressive as to convince us that he has not forgotten the lessons that he gathered from the surroundings of his childhood. The senior Senator from West Virginia [Mr. Elkins], in glowing terms has told us of the endearment in which the people of West Virginia hold this man's memory. He occupies the relation to that State that was occupied by the founders of this Nation, and I know that it needs not the ceremonies of this hour to impress it upon the minds of the people not only of West Virginia, but of all the country, that the man to whose memory we pay this tribute to-day is worthy of it, as worthy as was ever any man whose memory was thus recognized and commemorated.

Address of Mr. Oliver, of Pennsylvania



MR. PRESIDENT: The story of the formation of West Virginia is one of the romances of American history. The ordinance of secession was passed in the Virginia convention, despite the almost unanimous protest of the delegates from the transmountain counties, on the 17th day of April, 1861. Only five days later twelve hundred citizens of Harrison County met in mass convention at Clarksburg and issued a call to the people of the counties of northwestern Virginia to appoint delegates of "their wisest, best, and most discreet men," to assemble in convention at Wheeling on the 13th day of May ensuing, "to consult and determine upon such action as the people of northwestern Virginia should take in the fearful emergency." The convention which assembled in response to this call contained representatives from twenty-six counties. It remained in session three days and adopted a series of resolutions nullifying the ordinance of secession and calling upon the people, in the event of its ratification, to appoint delegates to a general convention, to meet at Wheeling on the 11th of June, "to devise such measures and take such action as the safety of the people they represent may demand." This second convention met on the day appointed. It contained ninety-nine delegates, representing thirty-one counties. Within three days of assembling it declared all acts of the convention and executive, tending to separate the Commonwealth of Virginia from the United States, to be without authority and void, and the offices of all who adhered to the said con-

vention and executive, whether legislative, executive, or judicial, to be vacated. It promptly adopted an ordinance for the reorganization of the state government, and by a unanimous vote chose FRANCIS HARRISON PIERPONT, one of its own members, as governor of Virginia, with a full corps of state officers, to serve for six months, or until their successors should be elected and qualified. On the 22d of May following, Governor PIERPONT was elected by the people for the unexpired term of Governor Letcher, and in May, 1863, at an election held in those counties of eastern Virginia occupied by the Federal Army, for the full term of four years, from January 1, 1864.

From a strictly legal standpoint it is hard to justify the movement by which the PIERPONT government was set up, although able arguments to the contrary were presented to the convention. It was revolution, pure and simple, and it required success to make it even respectable; it was justified by the dire emergency which confronted the loyal people of West Virginia, and by that alone. It met with that measure of success which made it not only respectable, but illustrious, and it is a curious fact that the present government of the Old Dominion traces its title through the usurper PIERPONT, and not through the legitimist Letcher.

The government headed by PIERPONT called itself the restored government of Virginia, and under his able guidance gave its full support to the administration of President Lincoln and to the movement to erect a new State out of the transmountain counties. PIERPONT himself was the logical man for governor of the new Commonwealth and would doubtless have been chosen for that place had he so desired; but it seemed to him that his duty pointed toward the maintenance of at least the semblance of a loyal government for old Virginia, now wholly given over to the rebellion, except where her soil was occupied by the federal troops. He therefore, upon the establishment of

the new State, moved his capital to Alexandria, and, after the Union forces occupied Richmond, to that city, where he served until superseded by the military governor, General H. H. Wells, in the spring of 1868.

It was in his administration of the government of Virginia after the fall of Richmond that the full strength of Governor PIERPONT'S character came out. He found himself, in the midst of a hostile population, governor of a Commonwealth of which he was no longer even a citizen. The United States marshal was instituting proceedings looking to the confiscation of the property of all participants in the rebellion. Governor PIERPONT protested vigorously against all such proceedings and set his face resolutely in the direction of conciliation and pacification. He recommended for pardon all who applied to him. With the meager funds at his disposal he rehabilitated as best he could the charitable institutions of the State, which were destitute, and for three years governed with a wisdom and moderation beyond praise. After surrendering his office in 1868 he returned to his old home at Fairmont, where he spent the remaining thirty years of his life in dignified and honorable retirement.

Mr. President, West Virginia does well to honor PIERPONT. He was born within her borders. With the exception of the five years spent as governor—first at Alexandria, and then at Richmond—he lived there all his long life. His body lies buried beneath her soil. It is somewhat of an anomaly that, although he is rightly called the Father of West Virginia, he never held office under her government, except to serve one term as a member of the legislature. His Americanism was not merely typical; it was ideal. He was not a brilliant man as that phrase is usually accepted, but he possessed that “saving grace of common sense” which, in the crises of men and of nations, is better far than genius. He had that serene poise

which fits men for any emergency, no matter how grave; and above all and beyond all, he had a high and unflinching integrity, personal and political, which flattery could not cajole and no temptation could seduce. He would neither do wrong himself nor tolerate it in those around him. In his later years it was his proud boast that in his three years' administration at Richmond he restored stable government to Virginia without a whisper of scandal or even a suspicion of that corruption which unfortunately stained the annals of so many Southern States during that trying period. West Virginia does well, indeed, to place him among the immortals; and of all that silent but illustrious company amongst whom his image stands for all time as the tribute of a grateful Commonwealth, some there are, doubtless, who in life surpassed him in the splendor of their achievements, but not one excelled him in the strength and vigor of his integrity or has left to his children a more stainless name.

Address of Mr. Scott, of West Virginia



MR. PRESIDENT: All students of history are familiar with the memorable events which led to the admission into the Union of the aggregation of counties west of the Allegheny Mountains in Virginia as a separate State. During the stirring times from April 19, 1861, when the Old Dominion withdrew from the Union, until December 31, 1862, when President Lincoln ratified the action of Congress admitting West Virginia to the sisterhood of States, none took a more prominent part and none labored more zealously and with more patriotic ardor for the Union than did FRANCIS H. PIERPONT, governor of the restored government of Virginia, and one of the fathers of the mountain State of West Virginia.

Governor PIERPONT was born in Monongalia County, Virginia, now a part of West Virginia, June 25, 1814. His early life was spent on a farm; but at the age of 22 he entered Allegheny College, Meadville, Pennsylvania, and in June, 1840, he graduated from that institution. He afterwards taught school in Mississippi, studying law in his spare moments, and was admitted to practice in Fairmont, Marion County, at which place he built up a lucrative law practice. Though he left there temporarily at different times, Fairmont remained his home thereafter. He died, however, in Pittsburg, at the home of his only daughter, in March, 1899.

Having been educated in the North, where he was closely associated with northern people and imbued with northern

ideas, Governor PIERPONT was naturally opposed to human slavery, and his convictions, intense and deep-rooted, found voice on every occasion when the opportunity presented. Ever alive to the questions of the day, Governor PIERPONT took an active part in the discussion of all public issues. He commenced his career as a public speaker in the college halls, and at one time there were few platform speakers his equal in the State.

Concerning his ability as a speaker and as a man, the *Intelligencer*, of Wheeling, West Virginia, a strong advocate of the Union, published the following May 6, 1861:

FRANK PIERPONT'S SPEECH.

FRANK PIERPONT is one of those men well fitted for the stormy and revolutionary times that are upon us. He has the moral, physical, and mental power of a leader. A truer man to the cause of the Union, in our opinion, does not live; and he has that vigor of apprehension, that incisiveness of speech, and that indomitable will and courage that carries the people with him. His speech on Saturday, although by no means illustrative of his capacity, suffering, as he was, from cold and hoarseness, was very strong and impressive, and was eagerly listened to throughout its entire length by the people.

He is doing a glorious work in the mountain counties, and is worthy to be the colleague of such men as Carlisle, Dent, Burdett, Brown, the editors of the *Grafton Virginian*, the *Clarksburg Guard*, and others of the noble army that are rescuing western Virginia from the hands of the traitorous spoilers. Western Virginia, when she comes to be a State by herself, as we most devoutly hope she may ere long, will owe a debt of gratitude to these men not easily repaid.

Governor PIERPONT was really the father of the idea of forming West Virginia, and it is perhaps not giving him too much credit to say that had it not been for his foresight there might not have been a West Virginia.

Nothing is more interesting at this time than an article written by Noah S. Reader in the *Wellsburg Record*. This graphically describes the situation in the western part of Virginia, and tells of Governor PIERPONT having been in four of the principal counties and everywhere he had been asking what the

Union people could do. He expected advice himself, but instead found that the Unionists were coming to him for advice. He simply said, "Hold on to the Union." Mr. Reader then describes how in this depressed state of mind he went to his office and took down the Constitution of the United States. Audibly he said: "Old Constitution, I will give you one more reading." He does not know why he had not done it before, but he commenced at the preamble, carefully reading article by article and section by section until he came to the section which provides that—

The Government of the United States shall guarantee a republican form of government to each State in the Union, repel invasion, and suppress insurrection and rebellion when called on by the legislature or by the governor if the legislature can not be convened in time.

When he got through the section he sprang to his feet, threw the book with force on the table, and exclaimed, "I have got you!" He walked the floor for a few minutes in brisk step, and in less than a minute the whole proceedings of the convention, its representation, the declaring of all offices held by secessionists vacant, representation in Congress, and division of the State passed before him like a panorama. He went into his house and told his wife that it was clear. He met one of his neighbors on the street and remarked to him, "It will all come out right." He knew at that stage that success could only be had by secrecy.

This was prior to the meeting held at Wheeling on the 11th of May, and it was at this meeting that Governor PIERPONT presented his resolution for calling a delegate convention to meet in Wheeling on the 13th day of June and to appoint a committee of safety, whose duty it was to direct the manner of electing these members to attend and such other affairs as they deemed necessary for the Union cause. And it was after these resolutions had been adopted and the committee of safety ap-

pointed that he was asked for his plan of action and explained it as follows:

On principle the loyal people of the State are entitled to the protection of the laws of the States and United States. When our convention assembles I have no doubt we will know that the governor of the State has joined the southern confederacy. The convention will pass resolutions declaring, in the language of the Declaration of Independence, that "he has abdicated his office by joining a foreign state," and that it is the right of this convention to appoint a governor and lieutenant-governor and pass such other ordinances as are necessary to turn out of office all disloyal men and to fill them by loyal men, and do anything else that may be necessary. Our actions must go to the whole State. We will call the legislature together immediately, if necessary. You observe the convention is composed of double the number of delegates of the lower house. It may be we will need a legislature and convention both at once. We will elect Senators to fill the places made vacant by resignation of Hunter and Mason. We will commission our members elected and send them to Congress. The governor will call upon the President for military aid to suppress the rebellion. In the meantime we will get the United States Army to occupy the Monongahela and Kanawha valleys, drive the rebels beyond the mountains, and we will organize below. Now, if we carry out this programme, we will represent the State of Virginia and divide the State by the consent of Congress and the consent of the legislature of Virginia.

His programme was, in the main, carried out. Delegates attended that convention from forty counties lying west of the Blue Ridge Mountains. He was the representative from Marion County. Recognizing his sterling qualities as a man, a lawyer, a statesman, and a loyal citizen, the convention of June 11, 1861, unanimously elected him provisional governor of the reorganized State of Virginia, and Daniel Polsley, of Mason County, was elected lieutenant-governor. Within a year Governor PIERPONT was elected by the people governor of Virginia under the "restored government." Two years later he was reelected governor for a term of four years, having undisputed sovereignty over the people in the territory west of the Blue Ridge Mountains. Meanwhile he gave his powerful aid to the movement for the creation of a new State, and after the admission of West Virginia into the Union in

1863 he removed the seat of government of Virginia to Alexandria. Following the surrender of General Lee at Appomattox, Governor PIERPONT transferred his headquarters to Richmond, being most cordially greeted there by many of his fellow-citizens who four years before had cast their fortunes with the South. Within a few months he completely restored the functions of the state government, and it is worthy to be noted that there was never a suspicion of dishonesty or misdeed attaching to his administration. No man, it was said, could ever be appointed to office under Governor PIERPONT who did not possess the moral and intellectual qualifications for the position. Nearly the entire judiciary was changed, and it was said by the men and newspapers of that day that he gave Virginia the best judiciary the Commonwealth ever had. He was the first governor of Virginia, it is also stated, who ever issued a Thanksgiving proclamation. As the war governor of Virginia he was the steadfast friend of President Lincoln, who recognized him as a valuable and able supporter of his administration.

Although active in politics and a man of power and influence, Governor PIERPONT held public position but seldom. At the expiration of his term as governor of Virginia he returned to his home in Fairmont, where naturally he found a large amount of business that had been long neglected. He lived thereafter comparatively a quiet life. He served a term in the legislature at the earnest solicitation of his friends, was a delegate to a national convention of his party, and President Garfield appointed him collector of internal revenue. He served a term as president of the general conference of the Methodist Protestant Church, up to that time the only layman ever chosen to this position.

Governor PIERPONT was a large-hearted, true man, and a just one. His love of country was of the intense order, and

to the support of his views he brought a fine logic which but few could combat. He was possessed of a wonderfully retentive memory, and was splendidly equipped legally. There is, perhaps, no one within the confines of the State which Governor PIERPONT helped to create who does not acknowledge the versatility and clear-headed legal acumen he manifested in the presence of the serious problems he so successfully solved as a leader in the troublesome times just before and during the civil war. History may do but scant justice to this man; his fame may be perpetuated by the marble statue unveiled to-day, but there is a monument which bears his name indelibly, and that is found in the hearts of his countrymen; there FRANCIS H. PIERPONT will live while the lifeblood flows.

The VICE-PRESIDENT. The question is on agreeing to the concurrent resolution.

The concurrent resolution was unanimously agreed to.

Mr. SCOTT. Mr. President, as a further mark of respect, I move that the Senate adjourn.

The motion was unanimously agreed to, and (at 3 o'clock and 7 minutes p. m.) the Senate adjourned until Monday, May 2, 1910, at 12 o'clock meridian.

PROCEEDINGS IN THE HOUSE.

APRIL 2, 1910.

Mr. STURGISS. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows: ‘

House resolution 567.

Resolved, That exercises appropriate to the reception and acceptance from the State of West Virginia of the statue of FRANCIS H. PIERPONT, erected in Statuary Hall in the Capitol, be made the special order for Saturday, April 30, 1910, at 3 o'clock in the afternoon.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

APRIL 30, 1910.

The SPEAKER pro tempore. The hour of 3 o'clock p. m. having arrived, the Clerk will read the special order governing the business for the remainder of the day's session.

The Clerk read as follows:

On motion of Mr. Sturgiss, by unanimous consent—

Resolved, That exercises appropriate to the reception and acceptance from the State of West Virginia of the statue of FRANCIS H. PIERPONT, erected in Statuary Hall in the Capitol, be made the special order for Saturday, April 30, 1910, at 3 o'clock in the afternoon.

The SPEAKER pro tempore. The Chair will ask the gentleman from West Virginia [Mr. Gaines] to act as Speaker pro tempore during the ceremonies.

Mr. GAINES assumed the chair as Speaker pro tempore.

Mr. STURGISS. Mr. Speaker, I desire to send to the Clerk's desk and ask to have read a letter from the governor of West Virginia, addressed to both the House and the Senate.

The SPEAKER pro tempore. The Clerk will read.

The Clerk read as follows:

CHARLESTON, W. VA., *April 30, 1910.*

To the Senate and House of Representatives, Washington, D. C.:

Pursuant to action of the legislature of West Virginia, there has been erected in the Capitol of the United States a marble statue of the late FRANCIS H. PIERPONT, of West Virginia. In behalf of the people of this State I have the honor and the pleasure of presenting to the Government and the people of the United States this statue of one of the most famous sons of West Virginia. Governor PIERPONT is known in our history as the great war governor of the restored government of Virginia, and by the people of West Virginia he is held in high and affectionate esteem for the great aid he gave them in their effort to attain statehood. A man of simple and strenuous life, of large heart and mind, of strong conviction and superb courage, of high ideals and lofty character, and of devotion to duty as he saw it, a man careful to discharge every obligation of the citizen, a patriot in whom there was no guile, and a public officer who knew and acted upon the knowledge that public office is created for the benefit of the people and not for the benefit of the officeholder, Governor PIERPONT will ever stand out in our country's history as a heroic character in the throes attendant upon the second birth of the great Republic, a time that tried men's souls.

Very respectfully,

WM. E. GLASSCOCK,
Governor of West Virginia.

On motion of Mr. Sturgiss, by unanimous consent, Senate concurrent resolution No. 24 was taken from the Speaker's table and read as follows:

Resolved by the Senate (the House of Representatives concurring), That the statue of FRANCIS H. PIERPONT, presented by the State of West Virginia to be placed in Statuary Hall, is accepted in the name of the United States, and that the thanks of Congress be tendered to the State for the contribution of the statue of one of its most eminent citizens, illustrious for the purity of his life and his distinguished services to the State and Nation;

Second. That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the governor of the State of West Virginia.

Address of Mr. Hubbard of West Virginia



MR. SPEAKER: In the midst of the civil war a body of people, long settled in the very center of the country's population and in its oldest Commonwealth, people who had elected to abide by the Union proceeded in accordance with the provisions of the Constitution of the United States to form the new State of West Virginia. The action by which this was accomplished was by some reckoned as revolution, but never did revolution so observe order or obey law. As that people seceded from secession, so did their revolution arrest revolution. They fought in the forum as well as in the field for their country and their State, and the laws were not silent amid the arms with which they won their statehood and their peace. The passions of that time have long since been stilled, the wisdom of that work has long been manifest, and all that dwell within her borders have given their loyalty and love to West Virginia.

There was one man who by the people of that State has been considered as foremost in the work of its formation, and now that that State, no longer after the lapse of half a century to be called new, is privileged to place in yonder hall a statue of one of its great representatives, it puts there FRANCIS H. PIERPONT in marble no more solid than his worth, no whiter than his fame.

The State formed by that statesman's genius to stand forever in the Union does well in turn to invoke the sculptor's genius to model the form of that statesman to stand among those of the great men who have founded or saved or nobly served other Commonwealths.

To understand the people who did that work, and that man representative of them, to comprehend the political drama then enacted among the hills of West Virginia, we must go back even a century earlier to the time when on that soil the trans-Allegheny frontiersman taught the Nation the value of the individual. Until he subdued the wilderness, and there planted corn, and at the same time planted civilization, every migration, colonization, and foundation was organized if not governmental. Whether in sacred or profane history a great movement of the people, a settlement of new land was the work of some government or church, some military power or commercial enterprise, of some authority. In that way, indeed, had been planned the settlement of the region west of the Alleghenies and along the Ohio. In England there was the Walpole Company, the Ohio Company, the Royal Company, and the Mississippi Company. Why, if George Washington had had his way—and he might have had it but for the coming of the Revolutionary war—there might have been a West Virginia a century earlier, and, if there had been, Washington would have been its first governor.

So in America the Pilgrims, the Puritans, the Virginia Company of London, other companies and colonies, the grantees of royal charters, laid the foundations of this Nation of ours. Under such auspices Virginia had broadened out from the coast to the Blue Ridge, and at that barrier had paused. Organized effort made one attempt to stretch yet farther. A governor and his followers crossed over into the Valley of Virginia, and for that exploit the one was knighted by his sovereign, and the others were called the Knights of the Golden Horseshoe.

But from that hour the work of exploring the wilderness beyond and of developing the country became the work of the individual.

In the men of that region and era was a personal initiative greater than had been known before. By the middle of the eighteenth century adventurous individuals had explored southwestern Virginia and Kentucky. A few had made their homes in the Valley of Virginia, but none beyond the Alleghenies. And then, without any encouragement by government, indeed, against its wish, without concert of action—a man by himself, or two or three together, a family far from others, or perhaps several grouped about a blockhouse—that people began to cross the crest of the Alleghenies to the headwaters of the streams that flowed toward the unknown, undefined, mysterious West. They settled upon the lands that suited their fancy in that wide domain of western Virginia then known as Augusta, and there are farms still held under titles that began in the tomahawk right of a pioneer ancestor. The achievements of those pioneers were not by the command of others; they took orders from their own needs and wills. They fought, but they wore no uniform. They furnished their own arms and ammunition and equipment, their own transportation and subsistence. Reared among hardships, they were physically active and tireless and mentally reflective rather than impulsive.

Individual and independent, as they were, their common dangers and like tastes made it easy for them to act in unison. They could assemble in an army, but they must elect their own officers.

They had no dread of wild beasts, savage foes, British arms; no fear of old habits or new ideas. They did not submit to the tyranny of some yesterday or the threats of any to-morrow.

African slavery had but little place in their social structure, industrial system, or moral code. They would not be masters any more than they could be slaves.

Among such men George Washington had his training, and knowing them he could say in the dark hours of the Revolution,

"Leave me but a banner to plant among the mountains of Augusta and I will rally round me the men who will raise our bleeding country from the dust and set her free."

From the time of the Revolution to that of the civil war that people changed but little. If they did not acquire culture, they still possessed saving common sense. If, secluded by their mountain walls, they missed opportunity, they did not lose capacity. If their material progress was slow, their spirit remained free and their patriotism undimmed. If they had not the learning of books, they had the Anglo-Saxon genius for self-government, for they were, as those who succeed them still are, of the purest strain of Anglo-Saxon blood. In these days of hyphenated Americans these people remain the most American Americans. In the Appalachian range is the largest body of native Americans in the country. In that mountain region, extending from Pennsylvania to Alabama, stretching from east to west 200 miles or more, is a population of millions, almost all whites, almost all descended from English and Scotch who had settled in the colonies before the Revolution. Out of those mountains went into the armies of the civil war more men of Anglo-Saxon blood than ever followed Marlborough or Wellington. One hundred and fifty thousand of them, lovers of liberty and of their country, rose at the call of Lincoln and justified the faith he always had in those mountaineers by saving the border South to the Union.

The test of that pure Americanism, of the intense patriotism of the people, came in 1861.

For many years the western part of Virginia had found irksome its business and political relations with the eastern part of the State. It was divided from the eastern part by mountain ranges not then pierced by railroads, but no more distinctly divided in that way than by differing industrial and commercial

interests, by diverse modes of life and thought. Slavery and taxation were fruitful sources of dispute.

The sullen warmth of resentment at supposed grievances blazed up into flame when the east tried to take Virginia into the confederacy. Not only was the banner of Washington then raised among the mountains of Augusta, but his thought of a new State then hardened into fact. Western Virginia clung to the Union and eastern Virginia sought to leave it. The separation of the two at last was inevitable.

The men who acted for the west had not had much training in public life, most of them having always been in the political minority. Some of them at first proposed methods which were inconsiderate, if not rash. But the innate genius of the people for government manifested itself. Wiser counsels prevailed. Orderly methods were followed.

A mass convention of Union men assembled in Wheeling on the 13th day of May, 1861, before the popular vote on the ordinance of secession had been taken, to consult and determine upon their action. That convention summoned a delegated, constituent convention, which met on the 11th day of June, with delegates from thirty-five counties, not all in the west. That later convention declared the ordinance of secession and other acts of the convention at Richmond attempting to put Virginia into the confederacy to be usurpation and treason, to be without authority and void; it considered the government at Richmond as having abandoned its legal functions; it vacated the offices of all who adhered to that government; and thereupon it proceeded to reorganize the government of Virginia. FRANCIS H. PIERPONT was made its governor, first by the convention and then by popular election.

That reorganized government was recognized by all the departments of the United States government, and the State of West Virginia was admitted into the Union on the 20th day

of June, 1863, with the consent of the legislature of the reorganized government of Virginia, by act of Congress signed by Abraham Lincoln.

In the swift movement of events which resulted in reorganizing the government of Virginia, there was but little time, and perhaps little disposition, to search for historical precedents; but, looking back, we can now see that the Union men of Virginia, with their instincts and genius for orderly government, did the same things which, under like circumstances, had been done by other free peoples before them, just as we can see that nothing was then done which could have been better done otherwise.

Three centuries ago the United Provinces of the Netherlands declared that they forsook Philip because he had forsaken them, and that they had a right to depose him and elect another in his room. But their government did not perish because he had abdicated it, and for years the Netherlands, in the name of Philip, waged war against Philip.

A century later the lords and commons of England, not in Parliament, but in a convention, published a declaration of right, reciting the crimes and errors of James, and asserting that he had abdicated the Government.

After yet another century our Declaration of Independence asserted that legislative powers are incapable of annihilation, and that when those intrusted with them cease to exercise them they may be resumed by the people, and recited the usurpations and wrongs because of which the united colonies were absolved from all allegiance to the British Crown.

The Virginia bill of rights says the people have a right to peaceably assemble and alter or amend their form of government when it may become necessary.

And so in still another century the loyal people of West Virginia annulled the acts of those who, in the name of Vir-

ginia, had violated the provisions of the Constitution of the United States, forbidding any State to enter into any treaty, alliance, or confederation or, without the consent of Congress, to enter into any agreement or compact with another State; and that loyal people went on to exercise the powers of government which had been abdicated at Richmond.

The case could not be better summed up than in the reasons Mr. Lincoln gave for signing the bill admitting West Virginia:

The consent of the legislature is constitutionally necessary to this bill for the admission of West Virginia becoming a law. A body claiming to be such legislature has given its consent. We can not well deny that it is such unless we do so upon the outside knowledge that the body was chosen at elections in which the majority of the qualified voters did not participate. But it is the universal practice in popular elections in all these States to give no legal consideration whatever to those who do not choose to vote as against the effect of the vote of those who do choose to vote. Hence it is not the qualified voters, but the qualified voters who choose to vote, that constitute the political power of the State. Much less than to nonvoters should any consideration be given to those who did not vote in this case, because it is a matter of outside knowledge that they were not merely neglectful of their rights under and duty to this Government, but were also engaged in open rebellion against it.

The movement which resulted in the formation of West Virginia was of the people rather than of individuals. And yet there were men who led and guided that movement with judgment and skill which has since been shown to be unerring. No one of them can be counted first in all respects. Some one must be taken, not for himself alone, but as a representative of the others and of the great body of the people. The legislature of West Virginia acted wisely when they selected PIERPONT as that one. No man was earlier at the work which made the State than he, and none was about it more steadfastly or longer. No one showed more courage, made more sacrifices, gave himself more fully. When he became governor the office was rather one of danger than of honor.

But these comparisons are vain. The place in yonder hall is rightfully his, because he was peculiarly the type of his people. He was one of them by birth and by inheritance, by temperament, by conviction. The calm judgment of later years has chosen this West Virginia patriot to stand for all West Virginia patriots.

In May, 1861, at the time when the Union men were assembled for consultation in the city of Wheeling, I came from school back to my home in that city, and I found FRANK PIERPONT as a guest in my father's house. The boyish admiration he inspired in me then was strengthened by the years of acquaintanceship that followed. The marvelous art of the sculptor tells us much of what he was, but even that can not tell how stalwart in body, much less how alert in mind, how unyielding in will, how strenuous in action. He had the moral, physical, and mental power of a leader; he had that strength of thought, that vigor of speech, that intensity of purpose that inspired people with courage and confidence. His phrase may not always have been classic or his logic perfect, but his purpose, earnest and compelling, always held. That purpose was the formation of a new State, a purpose that mastered him and enabled him to master others. His eye saw that end from the beginning, and that purpose stretched to the very verge of his vision. At the opportune time, among the mountains of Augusta, the century-long dream of West Virginia became a fact, and it dims not the fame of any of his compatriots, brave men and true, to say that PIERPONT was the man of the race, the place, and the hour.

Address of Mr. Keifer, of Ohio



Mr. Speaker: There was recently placed in Statuary Hall of this Capitol an heroic-sized marble statue of FRANCIS H. PIERPONT by the State of West Virginia, there to stand, it is to be hoped, as typical of a representative statesman of the now wonderfully progressive and prosperous, though mountainous, State of West Virginia—the first and only sovereign separate Commonwealth carved out of and created exclusively from territory included at one time in another sovereign State of this Union. It was in western Virginia in June, 1861, I first saw real war.

Governor PIERPONT was, in a large sense, instrumental in creating the State of West Virginia. I leave to others who knew him and are familiar with his public life and character and also with his private virtues to here portray them fittingly, while I turn to the conditions existing when he emerged, under most trying and difficult circumstances, from an ordinary life of duty and responsibility as an American citizen into patriotic and heroic statesmanship and leadership.

I may observe that true greatness is always coupled with virtue and duty whether found in public or private action. Greatness is also always, more or less, relative, also comparative. Somewhere in barbaric or semibarbaric times only monsters or the most savage were acclaimed as great. Later, as civilization dawned, and even after it had somewhat emerged from darkness to enlightenment, the monster idea did not disappear, and even now to the less enlightened it has not, wholly disappeared.

Heroism and duty to country, to family and to society, are, however, in this age always important factors in measuring distinction and greatness.

Greatness means distinction above the common mass of mankind generally; and it is usually confined to a man's own country, certainly to the community in which the distinguished person lives, or in which or for the benefit of which he acts. Of course there have been, chiefly in earlier times, world-wide celebrities who, in peace or war, in science or literature, as leaders, discoverers, promulgators, or otherwise have made themselves names and secured immortal fame. And they have not always secured a name and fame for what they have done for the happiness of the human race. Some of them will continue in the pages of history for what they have done to subvert and oppress their fellow-men, while others whose lives have been humble and less ostentatious have accomplished much more for civilization and Christianity and for the universal happiness of the human race, and are therefore entitled to have first honors in any real or supposed hall of fame.

Distinction may be won in a bad as well as in a just cause; but can fame be acquired that will permanently endure, coupled with honor and accompanied with the just plaudits of a Christian world that does not rest upon great things done, or sought to be done, for the happiness and liberty of mankind, especially in the actor's own country?

In saying that fame is relative, it should also be observed that it is more difficult to attain to greatness in this age of progressive civilization than in any former age. The competition is more enlarged and fiercer, and the tests are more severe in all moral and mental points than ever before. Mere bravery in war or mere declamatory oratory in peace counts now for little. Heroism displayed on the field or on the forum where duty calls only stands for patriotism or high citizenship. Many

accounted great in former times or in earlier periods of the growth of civilization would now be regarded as despicable characters should they appear, and they would deservedly be execrated, not honored.

It always has been and always will be true that through education and other fortuitous circumstances more is expected and more is required of some persons than of others, especially than is required or expected of the masses of the people of a country. So those who have been educated and trained for the more important positions of responsibility in life and to occupy high places in the potential affairs of a nation should be justly held to the highest degree of responsibility in all their public acts.

The first rays of the morning sunlight touch the crests of the highest mountains before they can penetrate to the richer and more fertile intervening valleys at their bases, and the rays of a setting sun are again last to fade from the same mountain crests at each closing day. So of the exceptional people just described. They are the first to receive and to become imbued with that light that shines for all, and they are the last from which it is withdrawn. Their accountability should be greater than those less blessed with opportunities and with favoring environments.

FRANCIS H. PIERPONT, of West Virginia, whose statue we accept to-day for a place in the Statuary Hall of this Capitol, though not a soldier, nor yet an exceptional orator or statesman, nor specially renowned in literature, art, or science, nor perhaps specially in a learned profession, completely answers to the true test of greatness of his day and age, and his statue is worthily thus placed, to be maintained perpetually and pointed to by those who pass by as that of one who recognized duty and heroically performed it successfully when the rights and liberties of his fellow-men and of his country were in imminent peril.

To give a clear description of the object of adapting the old Hall of the House of Representatives to the purpose of a statutory hall, I will read the act originally dedicating it to that purpose:

And the President is hereby authorized to invite each and all the States to provide and furnish statues, in marble or bronze, not exceeding two in number for each State, of deceased persons who have been citizens thereof and illustrious for their historic renown or from distinguished civil or military service, such as each State shall determine to be worthy of this national commemoration; and when so furnished the same shall be placed in the Hall of the House of Representatives, in the Capitol of the United States, which is hereby set apart, or so much thereof as may be necessary, as a national statutory hall, for the purposes herein indicated. (13 U. S. Laws, p. 347.)

This legislation is a part of section 2 of a sundry civil appropriation act passed in the Thirty-eighth Congress and approved by President Lincoln July 2, 1864, in the midst of a great struggle for national unity, when the Union armies were making their last advance in the East and West to overthrow the great rebellion and when the confederate forces were putting forward their last great efforts to resist this advance. The then existing peril of this country kept in mind may help to determine what class of deceased citizens of the States were, by Congress, expected to be regarded as "illustrious for their historic renown or for distinguished civil or military service."

What has been the response to the invitation from the several States of the Union, and who of their deceased have been regarded as sufficiently illustrious and worthy to be commemorated by statues in this Hall?

Twenty-four of the now forty-six States have furnished statues—only forty in number. Eight States have furnished only one each so far. Alabama, South Carolina, Texas, and Virginia only of the eleven so-called Confederate States have furnished statues for this Hall of Fame. Twenty of the other States have placed statues therein. But who have been

regarded as sufficiently illustrious to be worthy of commemoration by statues in this Hall?

The States which have placed in the Hall statues and the names of the deceased persons represented I will now give. After each name the years of birth and death are given:

Alabama, J. L. M. Curry (1825-1903), distinguished as a Member of Congress of the United States, also of the confederacy; served in the confederate army; was United States minister to Spain and an author.

Connecticut, Roger Sherman (1721-1793) and Jonathan Trumbull (1710-1785); the former was a signer of the Declaration of Independence, Member of the Continental Congress, of the Constitutional Convention, of this House, and of the United States Senate.

Trumbull was Chief Justice and governor of Connecticut in colonial times—the only colonial governor who espoused the cause of independence.

Idaho, George L. Shoup (1836-1904), distinguished for pioneer zeal and disinterested patriotism, colonel in the Union Army in the civil war; governor of Idaho Territory, and also of the State of Idaho.

Illinois, James Shields (1810-1879) and Frances E. Willard (1839-1898).

Shields was a Union officer in the Mexican war and the civil war; also, a statesman who served in the United States Senate.

Frances E. Willard alone of the women of that illustrious fame won in upbuilding her sex is so far honored by a statue in this Hall. She was distinguished in reform movements; was president of the Woman's Christian Temperance Union and editor of the *Chicago Evening Post*. She founded the Woman's Christian Temperance Union, also the world's Woman's Christian Temperance Union, of which she was its corresponding

secretary, and she was the head of purity work of the World's and National Woman's Christian Temperance Union.

Indiana, Oliver P. Morton (1823-1877) and Lew Wallace (1827-1909).

Morton was the greatest of the war governors of the civil war, and later a great constructive statesman, foremost in the United States Senate.

Wallace was distinguished as a Union general in the civil war and the author of *A Fair God*, *Ben Hur*, and *the Prince of India*.

Iowa, James Harlan (1820-1899), distinguished as a statesman and a man of great learning; an LL. D., United States Senator, and Secretary of the Interior.

Kansas, John J. Ingalls (1833-1900), who was a lawyer, scholar, and statesman, the fearless peer of those with whom he served in the United States Senate three terms.

Maine, William King (1768-1852), was Maine's first governor and always active and influential in her politics; likewise a successful banker and business man.

Maryland, Charles Carroll (1737-1832), of Carrollton, and John Hanson (1715-1783).

Carroll was educated by French Jesuits, was for independence of the colonies, was of the council of safety of his State, was a Member of the Continental Congress, and was the last surviving signer of the Declaration of Independence.

Hanson was a patriot of the Revolution, president of the Continental Congress, and encouraged enlistments in the army in the war for independence.

Massachusetts, Samuel Adams (1722-1803) and John Winthrop (1588-1649).

Adams was a patriot of the Revolution and of special fame in securing the independence of the colonies and in launching the constitutional Government. He was governor of his State.

Winthrop was a colonial governor of Massachusetts; an author; believed in evangelizing the Indians; opposed democracy, and believed superior minds, though always in the minority, should rule.

Michigan, Lewis Cass (1782-1866), a statesman of just renown, Senator, Cabinet officer, and held other high official positions covering a long period of his country's history. He left the Cabinet of President Buchanan when secession was imminent.

Missouri, Francis P. Blair (1821-1875) and Thomas H. Benton (1782-1858) both of historic fame, the former as soldier in the civil war, and was an editor, and long in political life.

The latter as Senator, statesman, and author, always heroically standing with President Jackson and other great patriots for the Union of the States.

New Hampshire, John Stark (1728-1822) and Daniel Webster (1782-1852).

Stark achieved fame as a soldier in the French and Indian wars and in the Revolution.

Webster, a son of New Hampshire, was a lawyer and statesman in his adopted State, Massachusetts. In the United States Senate he combated by his unanswerable arguments the doctrine of the right of secession.

New Jersey, Richard Stockton, (1730-1781) and Philip Kearney (1815-1862).

Stockton stood for patriotism and high citizenship in the period of the Revolution.

Kearney was a soldier in his country's wars and, long after he lost an arm in battle, he was killed at Chantilly (1862) in the civil war.

New York, Robert R. Livingston (1746-1813) and George Clinton (1739-1812), both early governors of New York and otherwise illustrious as progressive citizens. Livingston was a

Delegate to the Continental Congress and a signer of the Declaration of Independence.

Clinton was a soldier in the French and Indian and Revolutionary wars, was a Member of the Continental Congress, several times governor of New York, and was Vice-President of the United States.

Ohio, James A. Garfield (1831-1881) and William Allen (1807-1879).

Garfield was a scholar, major-general of volunteers in the civil war, statesman with long service in this House, and was President of the United States and illustrious in all capacities. Allen was Senator and once governor of Ohio, and he commanded the confidence of his political party during a long public life. The former fought and the other merely acquiesced in the war for the Union.

Pennsylvania, J. P. G. Muhlenberg (1746-1807) and Robert Fulton (1765-1815).

Muhlenberg was an early distinguished minister of the gospel of Virginia and Pennsylvania, was a colonel in the Revolution, and fought under Generals Wayne and Washington, and served in this House in the First, Third, and Sixth Congresses.

Fulton's fame rests largely on his adaptation of steam power to propelling boats and ships. A great continental celebration has just been held (1909) in New York City in his honor.

Rhode Island, Nathanael Greene (1742-1786) and Roger Williams (1599-1683).

Greene was a Revolutionary general of renown. Roger Williams was an early Puritan pioneer minister of the gospel in the colonies and among the Indians, famed for his zeal and ability, especially in the cause of religious liberty. He was the founder of Providence and Rhode Island.

South Carolina, John C. Calhoun (1782-1850), the most distinguished exponent of so-called states rights and of slavery and

its extension, which inevitably and necessarily culminated in secession, rebellion, and the civil war. He was the father of a school of earnest men who believed secession was warranted by the Constitution of the United States, at least permissible under it, because not expressly forbidden, and who believed that the Constitution did not provide for its own perpetuation or for the preservation of the Union of the States, and that it was therefore constitutional to destroy the one and to overthrow the other, this though he had long contended that the Constitution made slavery lawful wherever it extended over United States territory. He did not live to see the baneful result of his doctrine and the overthrow of human slavery.

Texas, Stephen F. Austin (1790-1836) and Samuel Houston (1793-1863).

Austin was a Texas revolutionist and did much to wrest Texas from Mexico.

Houston was specially distinguished for his successful efforts in liberating Texas from Mexico, also as a general and statesman, as President of the Republic of Texas, and as governor of Texas, Member of this House, and for his loyalty to the Union against his State.

Vermont, Ethan Allen (1737-1789) and Jacob Collamer (1791-1865).

Allen was of Revolutionary fame. He demanded and received the surrender of Ticonderoga "in the name of the Continental Congress and the Great Jehovah." For three years he was a captive with the British.

Collamer was an illustrious statesman of marked ability. He was a member of the assembly of his State, a justice of its supreme court, Member of this House, Postmaster-General, and he died a United States Senator.

Virginia, George Washington (1732-1799) and Robert E. Lee (1807-1870).

Washington's illustrious life can not be added to by recital or comment. His character surpasses eulogy. When the Constitution of the United States was adopted in convention and was ready for ratification by the States he, as president of the convention, in his letter of submission dated September 17, 1787, said:

In all our deliberations on this subject we kept steadily in view that which appears to us the greatest interest to every American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence.

Lee was an officer in the United States Army of high character when the southern confederacy was formed (February 8, 1861). The day (March 5, 1861) after Lincoln was inaugurated President he registered himself in the Adjutant-General's office as "brevet colonel and lieutenant-colonel Second Cavalry." Lee's oath to his commission as lieutenant-colonel bears date March 15, 1861, and promises that he would bear true allegiance to the United States of America and to serve them honestly and faithfully against all their enemies, and to obey the orders of the President and of the officers appointed over him. President Lincoln nominated him March 21, 1861, as colonel First Cavalry, and the Senate confirmed him as such March 23, 1861. On March 25, 1861, he was commissioned colonel by the President, to take rank from March 16, 1861, and he received the commission March 28, 1861, and accepted it by letter March 30, 1861. Though as late as April 20, 1861, after Sumter had fallen, he wrote his sister, "I recognize no necessity for this state of things," he resigned from the United States Army and joined the then incipient confederacy and became its greatest military leader. The fact that his State, as he says in the letter referred to, "after a long struggle had been drawn" into a "state of revolution," and his thereafter becoming a great army commander, and that he always bore

an unblemished character and lived a pure life did much to palliate his abandonment of the United States Army and of his country in its day of need. The light that dawned on him did not, however, cause him to regard his country's existence of first importance and of "the greatest interest to every American" as did George Washington. For the mass of those who followed in general their leaders there is more excuse. Many had really no choice but to go with those who were their natural leaders.

Wisconsin, James Marquette (1637-1675). He was a French Jesuit priest, who became a missionary among the wild tribes of Indians in the northern country, and he became a discoverer and explorer therein, extending his travels to and up and down the Mississippi River.

West Virginia, John F. Kenna (1848-1893) and FRANCIS H. PIERPONT (1814-1899). Kenna while quite young saw service in the confederate army and became a Member of this House and of the Senate of the United States.

PIERPONT, a resident of what is now West Virginia, very early espoused the cause of the Union, and June 21, 1861, at Wheeling, Virginia, was chosen by a convention provisional governor of Virginia, its governor and lieutenant-governor having declared for the confederacy and dissolved their allegiance to the United States. He personally arranged to pay the mileage and per diem of the members of the convention. He called the legislature of the reorganized government of Virginia together July 1, 1861, which elected two Senators, and he issued commissions to them and to Representatives in this House, who were seated at the July (1861) extra session of Congress, and as governor of Virginia he generally did many other things essential to preserving the rights of the loyal people and to maintain their proper relations with the Government of the United States. He promptly organized and

commissioned the field and company officers of regiments and companies for service in the Union Army. He was chosen governor in 1863 and continued to hold the office of governor of Virginia until 1868. For a time the seat of government was at Wheeling, later (June, 1863) at Alexandria, but on Richmond being taken (April, 1865) he removed it to Richmond, where he administered the office of governor through the early period of the reconstruction.

Through all the trying ordeals no scandal was alleged against him. Loyalty to the Union was his guiding star. The needle of his chart pointed only to a restored Union. While performing the duties of governor of Virginia he bent his energies to the creation of the new State of West Virginia. The recital of the details of what he then said and did in the formation of that State are fully and ably given here by distinguished Representatives of the State of West Virginia. PIERPONT was never governor of West Virginia, as is popularly supposed.

To deter loyal citizens, the disloyal convention of Virginia, besides, against the vote of the people, passing April 17, 1861, an ordinance of secession, as early as July, 1861, passed an ordinance declaring that any citizen holding any office under the old government should be forever banished from the State, and if he undertook to represent the State in the Congress of the United States, he should, in addition, be guilty of treason. About the same time the confederate congress passed sequestration acts and laws to make United States citizens aliens in the confederacy and to confiscate their property, and it passed other laws of like character. It was under such and other indescribable conditions that FRANCIS H. PIERPONT took his stand and heroically and loyally maintained the Union. [Applause.]

Virginia from an early time had an irrepressible conflict between its eastern and western parts, and there were from

time to time some efforts made pointing to a division. In 1790—First Census—the white population east of the Blue Ridge was 314,523 and west of it 127,594. Forty years later (1830) it had increased east of the Blue Ridge to only 362,745 and west of it to 319,516. But few slaves were held west of the Blue Ridge. The invention of the cotton gin (Whitney, 1793) multiplied the demand for slave labor, and the sugar industry also increased this demand, but Virginia's tobacco and other once-important industries had broken down by reason of the exhausted fertility of the soil and for other causes, mainly attributable to slavery. Slave breeding for market then became her chief source of income, and to it the slaveholders turned their attention. Western Virginia proper had few slaves, and slave breeding there was not profitable. In 1830 the value of Virginia's slave exports reached \$1,500,000 per annum, and four years later it had risen to \$10,000,000 per annum. All other of her industries had then languished or disappeared entirely.

West of the Blue Ridge the white population greatly increased, notwithstanding the broken and mountainous country was not well situated for general cultivation; but the people there toiled with their own hands and earned their bread by the sweat of their own faces. No wonder under such widely different conditions a widely different civilization existed—one built on human slavery and the other on individual free labor.

But Virginia, in her history, has always been unique.

The story of its rending is too long for recital here, for if given even in a summary way much of importance would have to be left out. Her division was along the Appalachian backbone, and this because there was formed the natural line of division of sentiment and interest in the institution of slavery. The West Virginia mountain region was the home of liberty,

though from it in earlier times many citizens emigrated to the Northwestern Territory, made free by the ordinance of 1787.

Though Virginia was the earliest home of African slavery, it was not, in the period of the Revolution, supposed that it would continue to long exist therein. At the First Census (1790) Virginia was the most populous of the original States, and she had then 293,427 slaves; no other State then had one-half as many. In 1860 she was still in the lead, with 490,865 slaves.

Virginia early excelled in statesmen and in the advocacy of political and religious liberty. Her first constitution embodied a declaration of such liberty. George Nelson wrote this constitution and Thomas Jefferson wrote its preamble. It was the first written constitution of a free State in the world. The first West Virginia constitution embodied, word for word, the first Virginia act (1785) of religious freedom, written also by Jefferson. Jefferson early described the effect and character of slavery upon society, and (1782) expressed his forebodings and indulged in prophetic vision thus:

Nothing is more certainly written in the book of fate than that these people are to be free; nor is it less certain that the two races, equally free, can not live in the same government. I tremble for my country when I reflect that God is just, that His justice can not sleep forever. The way, I hope, is preparing, under the auspices of Heaven, for a total emancipation.

Jefferson was not then alone in Virginia in his desire for and predictions of the freedom of the African slave. Washington before the Revolution presided at a "Fairfax County convention" held to restrict slavery, and he, with Patrick Henry and other Virginia statesmen and slaveholders, predicted at the close of the Revolution that the slaves would be emancipated or that they would be freed violently. As late as 1821 Jefferson wrote of slavery, also in a spirit of prophecy. George

Mason, of Virginia, speaking of the effect of slaves upon a country, also prophesied by saying:

They bring the judgment of Heaven on a country. By an inevitable chain of causes and effects Providence punishes national sins by national calamities.

The time for fulfilled prophecy came and FRANCIS H. PIERPONT was a ready and willing instrument potential in its fulfillment. God's choice of men as well as his choice of methods for the accomplishment of great things and in the doing of His divine will are always the right men in the right place. In the work of resisting secession and slavery's aggression, and in the work of preserving a semblance of Virginia loyalty to the Union, and in the creation of the new State of West Virginia, PIERPONT was not alone. With patriotic exhortation, heroic deeds, and ardent prayers the great Reverend Alexander Campbell, the founder and propagandist of a new religious faith, a profound thinker and logician, was a leader who devoutly put his hand, pen, and tongue to the great work. Reverend Gordon Battelle, Reverend P. T. Laishley, and Reverend Wesley Smith were other divines who stood for the preservation of an undivided Republic. Chester E. Hubbard, Archibald M. Campbell, James C. McGrew, R. L. Berkshire, George R. Latham, Daniel Lamb, John L. Wheat, John S. Burdett, John S. Carlile, Waitman T. Willey, and others stood foursquare for the Union. Carlile and Willey each were chosen United States Senators for Virginia by the reorganized legislature, and Hubbard, Latham, and McGrew became Members of this House. McGrew still survives at 97 years of age. "Archie" Campbell masterfully molded public sentiment as editor of the *Wheeling Intelligencer* and otherwise. Berkshire became a member of the supreme court of West Virginia.

In this connection, Mrs. Arnold (Beverly, Virginia), sister of Thomas J. (Stonewall) Jackson, should be mentioned as actively loyal to the Union throughout the civil war. The statues of a galaxy of loyal patriots of Virginia deserve to be assembled in a separately dedicated Hall of Fame as colossal figures in a holy cause.

The State of West Virginia, born amid turmoil, tragedy, and war, must ever stand peculiarly alone in its formation. Originally it was composed of forty-eight counties—Ohio River and mountain counties. The June, 1861, Wheeling convention declared the Virginia state offices vacant by reason of their treason; then undertook to organize a loyal state government with, as already stated, PIERPONT as governor, which government was recognized by Congress. August 20, 1861, the convention adopted an ordinance favoring the formation of a new State out of the western portion of Virginia, which was approved by the vote of the people, and, November 26, 1861, a convention assembled at Wheeling and framed a constitution for it. This was ratified April, 1862, and the recognized legislature of Virginia gave its consent to the creation of the new State. Congress, December 31, 1862, passed an act for the admission of West Virginia into the Union, with the annexed condition that her people first ratify a substitute for the seventh section, article 11 of her constitution, providing that children of slaves born in her limits after July 4, 1863, should be free; that slaves under 10 years of age should be free at the age of 21 years; that all slaves over 10 and under 21 years of age should be free at the age of 25; and that no slave should be brought into the State for residence. This section was almost unanimously ratified by a vote of the people March 26, 1863, and April 20, 1863, Lincoln proclaimed West Virginia a State in the Union.

This creation of a new State was justified by the rebellious times and in aid of the loyal cause.

It is a singular historic fact that on December 31, 1862, President Lincoln approved a law of Congress providing for the admission of West Virginia as a slave State, with only gradual emancipation, and the following day he issued his final emancipation proclamation, declaring all slaves free as a war measure in States and parts of States then in rebellion, but exempting from its application the forty-eight counties which were to comprise West Virginia. There were but forty-eight of the counties of Virginia included originally in West Virginia, but Congress, by an act approved March 10, 1866, consented to add Berkeley and Jefferson counties to the new State. The slaves of these two counties had been emancipated by President Lincoln's proclamation of January 1, 1863, and the mighty and ever to be memorable decree of war had then been written in the Constitution of the United States—thirteenth amendment, ratified December 18, 1865—whereby human slavery became forever impossible in our Republic, and our flag was never again destined to be unfurled save as an emblem of human freedom. The resultant effect of this blood-consecrated decree has promoted liberty throughout the world.

It was urged by some loyal statesmen and by the disloyal that the creation of West Virginia was itself secession; that Virginia's consent was not given by Virginia because her whole population did not participate in doing so; that the disloyal nonvoters of the whole State outnumbered those who voted on the question and in the choice of her loyal legislators. President Lincoln, among other things, in answer to these objections, said:

Can this Government stand if it indulges constitutional constructions by which men in open rebellion against it are to be counted, man for man, the equals of those who maintain their loyalty to it? Are they to be counted better citizens and more worthy of consideration than those who

simply neglect to vote? If so, their treason against the Constitution enhances their constitutional value.

* * * * *

It is said the devil takes care of his own. Much more should a good spirit—the spirit of the Constitution and the Union—take care of its own. I think it can not do less and live.

* * * * *

The division of the State is dreaded as a precedent. But a measure made expedient by war is no precedent for times of peace. It is said that the admission of West Virginia is secession, and tolerated only because it is our secession. Well, if we call it by that name there is still difference enough between secession against the Constitution and secession in favor of the Constitution. I believe the admission of West Virginia into the Union is expedient.

This is not the time or occasion for pointing out contrasts between those who were loyal and those who were not, nor to raise questions of the propriety of placing the statues of those who sought or fought to overthrow the Union our forefathers founded by sacrifices made in years of struggle and at the expense of blood and treasure, and which they bequeathed to their posterity for keeping as a perpetual inheritance.

Of the illustrious persons who are represented by statues in Statuary Hall, three were wholly of Colonial times; eleven were of the Colonial and Revolutionary period; ten were statesmen subsequent to the formation (1789) of our Constitutional Government and prior to the civil war, but not participants therein; four were Union statesmen, who participated in public affairs during and since the civil war; five were Union Army officers and statesmen in and since that war; two (Curry and Kenna) were confederate soldiers and statesmen in or since that war; one (Marquette, Wisconsin) was a Jesuit missionary and an early discoverer; one (Frances E. Williard, Illinois) was a philanthropist interested in her sex; one (Kearney, New Jersey) was a Union officer in the civil war and in earlier wars; one (Fulton, Pennsylvania) was a noted inventor; and one (Lee, Virginia) was a former officer in the United States Army and a

confederate officer during the civil war, and when it was over he took no interest in public affairs.

Governor PIERPONT belonged to the fourth of this classification, and his efforts accomplished potential and essential results, taken in connection with the achievements of the battlefield. He and his loyal Virginia compeers will ever be honored by those who admire patriotism and loyalty. They heard their country's cry of danger and rushed to the rescue. He will be known as the last loyal governor of the State of Virginia before its division and as its governor during its return to allegiance to the Union. When his public mission was ended he returned to his old home (Fairmont) in West Virginia, and there he is buried. His statue worthily now stands among the statues of illustrious patriots, statesmen, and distinguished officers who fought for a government wherein all citizens are guaranteed personal and political freedom. His work secured the safety, felicity, the happiness, and the liberty of his own generation and of posterity. It is fitting that his remains shall sleep in a cemetery near his mountain home, where he imbibed the spirit that prompted him to achieve so much for the people of his State and of his now disenthralled country.

Let the sound of those he wrought for
And the feet of those he fought for
Echo 'round his bones forever more.

And let his statue stand in this Capitol—Statuary Hall—there to be selected out, pointed at, and gazed upon with that admiration due one who, in a supreme crisis, stood for the rehabilitation, rebaptism, and eternal preservation and perpetuation of constitutional liberty and for the Union of the States of our Republic, under one flag, and God.

'Till in all lands and thro' all human story
The path of duty be the way to glory.

[Applause.]

Address of Mr. Payne, of New York



MR. SPEAKER: The separation of old Virginia into two States was foreordained from the very beginning. It was a natural evolution, growing out of an unnatural union. Virginia and West Virginia were divided by a natural barrier—the Allegheny Mountains. A century ago this made commerce between the two sections extremely difficult. Without roads or other means of communication, the two sections were isolated. The people of the different sections were represented by two distinct classes: To the east of the Alleghenies by the old “first families of Virginia;” they could trace their lineage back and were proud of their descent. They were naturally politicians and natural orators. These characteristics they still maintain. Slavery here found congenial surroundings and grew with a rapid growth. The soil was fertile, and large crops of corn and of cotton were easily produced. Slave labor was well adapted to agriculture, and they readily convinced themselves that slavery was moral and proper. The economic argument to them seemed unanswerable. It saved to the white gentlemen, who were in the great majority, a means of living without soiling their aristocratic hands with daily toil. This was reserved for the black slave and the unfortunate white man. Virginia west of the Alleghenies was settled largely from Pennsylvania, Maryland, and New Jersey. These sturdy men, with the belief that they were divinely commissioned to earn their bread by the sweat of the face, were proud of their horny hands, showing the effect of

their daily toil. They conquered the forests, opened up the rich valleys to agriculture, and blazed the way for the development of the wonderful natural resources of the region. Coal, oil, gas, and lumber have brought unbounded wealth to the present State of West Virginia. Here slavery did not flourish. Its labor could not be utilized, nor could it in any manner compete with the free labor of these sturdy white men. It is doubtful if there were more than 12,000 slaves in 1860 west of the Alleghenies, when the total slave population of Virginia was over 490,000. From the beginning the people, their manners and customs, in these two divisions of the State grew apart. West of the Alleghenies the feeling grew that the question was a moral one; that slavery in itself was essentially wrong—unjust to the slave and pernicious to the slave-holding class—while east of the Alleghenies the feeling that it was moral and right grew apace. Early in the nineteenth century thoughtful men looked forward to a separation and the erection of two States out of old Virginia, and this feeling grew for more than half a century down to its final accomplishment in 1863. Of course eastern Virginia, oldest in development, largest in population and power, with her trained politicians, controlled in government and in legislation. Nor did she always use her power justly toward the weaker division.

The constitutional convention of 1850 and 1851 wrote into the constitution of the State a provision which enabled the slaveholders to make their slaves count largely as a basis for representation, while they counted as a minimum for the purpose of taxation. This provision prohibited the tax on any slave under 12 years of age, and provided a uniform assessment of \$300 per slave over 12 years of age. The average value of each slave was much over this sum in the slave market, often reaching the figure of \$3,000. The inequality of this provision

is most apparent. The nearly half a million of slaves east of the Alleghenies counted largely for representation against the 12,000 slaves west of the Alleghenies. The farm cattle were taxed at their full average market value, while the constitution itself protected the eastern slave owner from everything but a nominal taxation on the value of his slaves. This proposition had been a bone of contention for twenty years prior to the convention of 1850. It did more to awaken sectional animosity than any other piece of legislation or any other cause of dispute between the two sections. It occasioned much bitterness in the convention of 1850 and in the years that followed. The sentiment of West Virginia was well voiced in a speech made in the convention of 1850 by W. T. Willey, afterwards Senator, as the following extract from his speech illustrates:

We are engaged in no new controversy. This controversy commenced long prior to the agitation of public sentiment which convened this body. This controversy commenced long prior to the convention of 1829-30. It is as old as the lust of power. It is the old contest between the few and the many. It is the same struggling effort continued through centuries past to centralize power in the hands of the few against the antagonistic struggle of the many to have it diffused abroad in the community. * * * It seems that even here in the good old Commonwealth of Virginia the same battle is to be fought again. * * * I will not say that anything can destroy western fealty and allegiance. But referring to those principles of selfishness on which gentlemen base their resistance to our claim for popular power, how can it be reasonably expected that western fealty should not be diminished while that very slave property which we have heretofore done all that was ever required at our hands to protect is made, in the shape of taxation, the instrumentality of our political degradation, virtually giving goods and chattels power in the government whence we are excluded.

The effect of this constitutional provision was to throw the whole power of the government, in both administration and legislation, into the hands of the domineering class of Virginia east of the mountains. History records that they used that power with a strong hand. While the section west were paying

more than their share of the big taxation through this provision, a system was inaugurated that called for large expenditures for public improvements on a mammoth scale. Railroads, canals, and highways were aided and built from the state treasury on an enormous scale. But substantially none of these improvements were projected west of the Allegheny Mountains. Railroad and navigation companies were aided east of the mountains. It was traversed by roads built by state aid, but not even one broad highway was added west of the Alleghenies. This policy continued until a debt of more than \$40,000,000 was piled up against the State, expended in excess of the current taxation. All this rankled in the breast of the West Virginian, who was anxious to be loyal to his State. While he was proud of his State and gloried in the great names of her sons who had found a prominent place in history, he, too, was a free-born American citizen, felt himself an American sovereign, and entitled to equal rights and privileges with the other citizens of Virginia. These things did not crush his spirit, but only encouraged him in his growing revolt and made him keen for a way to escape from this injustice. West Virginia was ripe for revolt before an opportunity was given her in the secession of the State.

The constitutional convention which met and finally decreed the secession of the State of Virginia from the Union was a stormy one from the date of its convening until the final withdrawal of many members from West Virginia. Of the proceedings of this convention it is not my purpose to speak at length. They have passed into history, and I leave them without comment, except as they bear directly upon the affairs of West Virginia in the formation of a new State. When the ordinance of secession was finally adopted by this convention, a provision was made for the affixing of the signature of each delegate to the

instrument. The delegates from the west of the Alleghenies had fought the proceedings in the convention almost to a man, and only two or three of them finally affixed their signatures to this document. The rest immediately withdrew from the convention and speedily repaired to their homes, some of them fleeing like "Union refugees" secretly for fear of violence, so great was the excitement at the time. Immediately the convention proceeded to pass a resolution as follows:

Resolved, That William G. Brown, James Burley, John S. Burdett, John S. Carlile, Marshall M. Dent, Ephraim B. Hall, Chester D. Hubbard, John J. Jackson, James C. McGrew, George McC. Porter, Chapman J. Stuart, Campbell Tarr, and Waitman T. Willey be, and are hereby, expelled from this convention, and that their seats as members of the convention be, and are hereby, declared vacant.

These men, representing West Virginia, had voted against the adoption of the ordinance of secession. The expulsion was a summary one, and it is difficult to find anything other than the deep bitterness against the men who had dared to oppose the will of the majority in the convention. If this was not of itself a severance of the link which bound the two divisions of the State, it at least had a most potent influence in hastening the event.

The return of the delegates to West Virginia aroused the dormant public sentiment everywhere. Meetings were held in many of the cities, organized by the returning delegates. The first was held at Morgantown while the ban of secrecy imposed by the convention on the fact that an ordinance of secession had been adopted was in force. But it had been currently reported that such was the fact. The temper of the people was against this action of the convention. They entered their protests against it; they denounced it as treason against the United States, declared their unalterable opposition to such action, and resolved that they would not follow Virginia, but would dissolve their civil and political relations with the east. At the

same time they commended the firmness of the delegates in resisting the ordinance of secession from the Union. The resolutions were adopted with enthusiasm and seemed to express the universal sentiment of the people, not only in Clarksburg but of all the people west of the Alleghenies. Other meetings followed in other cities. West Virginia was loyal to the Government of the United States. On the 22d of April a convention assembled at Clarksburg, at which some twelve hundred citizens were present, representing all the counties west of the Alleghenies. Definite action was there taken toward the initiation of a movement to separate West Virginia and for the formation of a new State. At the same time the civil government at Richmond and throughout the State was rapidly disintegrating. Officers resigned; bands of armed men were traveling the highways, driving out the people who were opposed to the ordinance of secession. The organized government throughout the State seemed to be at an end. While not all the people west of the Alleghenies were opposed to secession, not more than 10 per cent were in its favor, as disclosed afterwards by the vote which was taken to ratify the ordinance of secession. Civil government of the State seemed to have become a thing of the past and confusion reigned supreme.

The meeting at Clarksburg recommended a convention consisting of five delegates from the territory west of the Alleghenies, to meet at Wheeling on the 13th of May, "to consult and determine upon such action as the people of northwestern Virginia should take in the present fearful emergency." Delegates to this convention were appointed in nearly, if not quite all, of the counties, and when this convention met it took the initiatory step toward the dismemberment of Virginia. In the meantime military companies were organized for self-protection, and ultimately for the purpose of joining the armies of the Federal or

Confederate Government. Henry A. Wise was sent with a confederate force to take possession of the Kanawha Valley and to hold it for the confederacy. Ultimately these, with other confederate forces, were driven out by the Union troops, and by the month of September the final division of confederates, under General Robert E. Lee, were beaten in an engagement at Cheat Mountain, and the authority of the United States was restored to West Virginia.

The convention at Wheeling assembled on the 13th of May. Masses of the citizens accompanied the delegates, and all Wheeling was intensely interested in the convention. It met without legal authority; it was forced into existence by the exigencies of the case. If it had any authority, it was that which emanated directly from the people. It was claimed to be justified by that provision in the bill of rights which declares that—

Government is instituted for the common benefit, protection, and security of the people, Nation, or community; * * * and when any government shall be found to be inadequate or contrary to these purposes, a majority of the community has an indisputable, inalienable, and indefeasible right to reform, alter, or abolish it in such manner as shall be judged most conducive to the public weal.

Upon the organization of the convention a committee, consisting of one delegate from each county, was appointed upon state and federal relations. Upon this committee appears the name of FRANCIS H. PIERPONT, whose statue in the Rotunda of the Capitol is recognized and honored to-day.

Up to this time the ideas of the delegates had been conflicting or had taken an indefinite form. But they soon centralized, and it was evidently the firm purpose and conviction of the assembled people that West Virginia must be separated from the old State and that she must still maintain her loyalty and allegiance to the Union. On the second day of the convention Mr. John S. Carlile offered a resolution, entirely revolutionary in its char-

acter and plainly in defiance of section 3, Article IV, of the Constitution, which declares:

New States may be admitted by the Congress into the Union; but no new States shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States or parts of States without the consent of the legislatures of the States concerned, as well as of the Congress.

The members of the convention were plainly intent on their purpose to sever West Virginia from the old State and were in no mood to listen to constitutional arguments, but ready to grasp at the only definite proposition that was offered. The resolution provided that the committee on state and federal relations should draft a constitution for the new State, to be called the State of New Virginia, and provided also for the sanction of Congress. Mr. Waitman T. Willey, who, like Carlile, had been a delegate to the convention which adopted the ordinance of secession and had withdrawn from it, had the temerity to oppose this resolution, pointing out the provision of the constitution. He was followed by Honorable FRANCIS H. PIERPONT in a speech strongly supporting Mr. Willey in his contention with all the force and vigor of his native eloquence. Precisely what happened at this stage of the convention's proceedings has never been better described than in a letter from Governor PIERPONT to Mr. Willey, from which the following extract is taken:

When he (Mr. Carlile) concluded, I, with others, I think, asked you (Mr. Willey) to go on the platform, which you did, and commenced your speech in opposition to Mr. Carlile's proposition and spoke, I should think, some three-quarters of an hour. My recollection is that by this time it was dark. I saw your weakness and exhaustion, and I think I moved that the convention adjourn until 9 or 10 o'clock the next day to enable you to finish your speech. On the next day the convention assembled, and you concluded your remarks. I think you spoke an hour and a half that morning with great earnestness. Before the convention assembled on Wednesday I learned that placards had been put up at the market houses and other places, calling a public meeting of the citizens that day at the court-house for the purpose of condemning your opposition to Mr. Carlile's project. I

also learned that some parties had visited the various delegations the night before and that morning to ascertain how they stood affected in regard to that project, and that three-fourths of the delegations were in favor of Carlile's project. When you concluded your speech on the morning of the third day, Campbell Tarr followed in a short speech. * * * I then obtained the floor and went on the platform and spoke for about an hour and a quarter, when some movement was observed in the lobby, which was crowded, induced by some questions propounded to me by Mr. Carlile, which movement I thought indicated a disposition to overawe the convention, and supposed to be a manifestation of the spirit which had caused the call of the court-house meeting. I then referred to the court-house meeting to condemn you and denounced the movement and appealed to the men of the mountain and river counties not to allow themselves to be overawed by this outside pressure. At this point the dinner hour arrived; a motion was made for a recess, and that I should conclude my remarks after dinner. During the recess the same parties who had taken the sense of the delegations in the morning again canvassed the delegations to ascertain how they stood, and they found that they were as strongly opposed to Mr. Carlile's proposition as they were in favor of it in the morning. After dinner I proceeded with my remarks, but had not spoken more than ten minutes when Mr. Carlile came in and proposed to withdraw his resolution and recommit the whole subject to the committee on resolutions.

At the meeting of the committee on state and federal relations, Governor PIERPONT offered a resolution for a general convention, to be held on the 11th of June, to devise such measures as the welfare of the people of the northwestern counties should demand. His plan was to provide a provisional government for the State of Virginia. This resolution was reported by the committee and adopted by a practically unanimous vote of the convention without further debate.

The convention met on the 11th day of June, and promptly adopted the following declaration:

A declaration of the people of Virginia, represented in convention, at the city of Wheeling, Thursday, June 13, 1861.

The true purpose of all government is to promote the welfare and provide for the protection and security of the governed; and when any form of organization of government proves inadequate for or subversive of this purpose it is the right, it is the duty, of the latter to alter or abolish it. The bill of rights of Virginia, framed in 1776, reaffirmed in 1830, and again in 1851, expressly reserves this right to a majority of her people

The act of the general assembly calling the convention which assembled at Richmond in February last, without the previously expressed consent of such majority, was therefore a usurpation, and the convention thus called has not only abused the powers nominally intrusted to it, but with the connivance and active aid of the executive, has usurped and exercised other powers, to the manifest injury of the people, which, if permitted, will inevitably subject them to military despotism.

The convention by its pretended ordinances has required the people of Virginia to separate from and wage war against the Government of the United States and against the citizens of neighboring States, with whom they have heretofore maintained friendly, social, and business relations.

It has attempted to subvert the Union founded by Washington and his copatriots in the former days of the Republic, which has conferred unexampled prosperity upon every class of citizens and upon every section of the country.

It has attempted to transfer the allegiance of the people to an illegal confederacy of rebellious States and required their submission to its pretended edicts and decrees.

It has attempted to place the whole military force and military operations of the Commonwealth under the control and direction of such confederacy for offensive as well as defensive purposes.

It has, in conjunction with the state executive, instituted, wherever their usurped power extends, a reign of terror intended to suppress the free expression of the will of the people, making elections a mockery and a fraud.

The same combination, even before the passage of the pretended ordinance of secession, instituted war by the seizure and appropriation of the property of the Federal Government, and by organizing and mobilizing armies, with the avowed purpose of capturing or destroying the capital of the Union.

They have attempted to bring the allegiance of the people of the United States in direct conflict with their subordinate allegiance to the State, thereby making obedience to their pretended ordinances treason against the former.

We, therefore, the delegates here assembled in convention to devise such measures and take such action as the safety and welfare of the loyal citizens of Virginia may demand, having maturely considered the premises, and viewing with great concern the deplorable conditions to which this once happy Commonwealth must be reduced, unless some regular, adequate remedy is speedily adopted, and appealing to the Supreme Ruler of the universe for the rectitude of our intentions, do hereby, in the name and on behalf of the good people of Virginia, solemnly declare that the preservation of their dearest rights and liberties and their security in person and property imperatively demand the reorganization of the government of the Commonwealth, and that all acts of said convention and executive

tending to separate this Commonwealth from the United States, or to levy and carry on war against them, are without authority and void, and that the offices of all who adhere to the said convention and executive, whether legislative, executive, or judicial, are vacated.

They also adopted an ordinance for the reorganization of the state government, including a provision for the election of the state legislature. It provided for the following oath to be taken by each of the officials elected:

I solemnly swear (or affirm) that I will support the Constitution of the United States, and the laws made in pursuance thereof, as the supreme law of the land, anything in the constitution and laws of the State of Virginia or in the ordinances of the convention which assembled at Richmond on the 13th day of February, 1861, to the contrary notwithstanding; and that I will uphold and defend the government of Virginia as vindicated and restored by the convention which assembled at Wheeling on the 11th day of June, 1861.

The legislature was elected and met at Wheeling on the 1st day of July, 1861. The convention then proceeded to elect state officers, and FRANCIS H. PIERPONT was elected governor.

This was a bold move on the part of these West Virginians. They assumed the duties of the government of a State, the bulk of whose population was just across the mountains engaged in a civil war; people who hated them for their loyalty to the Union, and who had the power, if they were captured, to try them in an unfriendly court and before an unfriendly jury for the usurpation of the offices of the State. But with the courage of their convictions, under the intrepid leadership of FRANCIS H. PIERPONT, they proceeded calmly to their work, and law and order was restored throughout all West Virginia.

On the 20th of August, 1861, the convention which had assembled passed an ordinance that, substantially, the territory west of the Alleghenies should be erected into a separate State, which was to be submitted to the legislature.

The most perplexing question that arose was with reference to slavery. Though the slaves were at all times few in number

and at this time included not more than 8,000, they were lawful property under the laws of Virginia, in the opinion of the people who were forming the new State. Various suggestions and compromises were debated, but finally the gradual abolition of slavery was placed in the act of Congress as a condition by which the State was admitted into the Union, which condition was subsequently ratified by the people. Later the emancipation by constitutional amendment settled this question for all time.

Mr. John S. Carlile and Mr. Waitman T. Willey were elected Senators of the restored State of Virginia, and were duly received, as were also the Representatives in the Congress. For some reason not yet accounted for Senator Carlile changed his position as an advocate for separate statehood for West Virginia while the bill was pending before the Senate and was denounced by Senator Pomeroy and by Senator Wade for desertion and "treason" toward his people. But Senator Willey labored long and patiently, and with great ability, for the admission of the State. His speeches were notable contributions to the high order of debate in the Senate on this subject. When the bill came before the President, Mr. Lincoln referred it to his Cabinet, and was met with conflicting views. He gave the question great thought and consideration, and at length, with a most clear and convincing opinion, which seems to have settled all doubts as to the legality of the steps taken, he signed the act which created the State of West Virginia.

Although at all times active, as in opposing secession in the Virginia convention, afterwards in turning the tide which seemed to be turning the delegates toward the original impracticable resolution of Mr. Carlile, where by his matchless eloquence he turned an overwhelming majority for into a unanimous vote against the proposition of Carlile, by his participation in the debate of the Wheeling convention of June 11, and

by his wise action while performing the delicate task of provisional governor, FRANCIS H. PIERPONT placed himself in the forefront and earned the broad distinction which is paid to his memory to-day in the erection of this beautiful statue to his honor as a representative of the sons of West Virginia in the Capitol of the United States.

FRANCIS HARRISON PIERPONT was born January 25, 1814, in Monongalia County, Virginia, now Marion County, West Virginia. He graduated from Allegheny College at Meadville, Pennsylvania, in 1839. He took up the vocation of teacher, which he followed for several years, afterwards becoming a very successful lawyer and business man. He was engaged in coal mining and manufacturing fire brick. He was an antislavery Whig and was a presidential elector in 1848. He was a leading member of the Methodist Protestant Church. He was first elected provisional governor of Virginia on the 21st day of June, 1861, by the Wheeling convention. At a general election on the fourth Thursday of May, 1862, he was elected by popular vote to fill out the unexpired term of John Letcher, who was declared to have vacated his office by reason of his having joined the confederacy. On the fourth Thursday of May, 1863, he was elected governor of the old State of Virginia for the full term of four years, beginning January 1, 1864. He removed the seat of government from Wheeling to Alexandria before the State of West Virginia began its legal existence on June 30, 1863. On the 25th day of May, 1865, he removed the seat of government to Richmond and served the remainder of his term, and after January 1, 1868, held over until the 16th day of April in the same year, when General Schofield, in command of the first military district, appointed Henry H. Wells as provisional governor. Thereupon, in 1868 Governor PIERPONT returned to his home at Fairmont, in West Virginia. He was

elected to the house of delegates in West Virginia in 1869, and was afterwards appointed collector of internal revenue for West Virginia by President Garfield. He died at Pittsburg, at the home of his daughter, March 24, 1899, and was buried at Fairmont, West Virginia.

Others will speak more at length of the personal characteristics of this great man. As another has said of him:

He was a towering figure even among the giants produced by popular government when all its energies were invoked by the terrible crisis in the life of the Nation, brought on by the secession movement. * * * Governor PIERPONT ranks among the truly great men whose greatness is the product of their own character and is in no sense the creation of circumstances. At a time of doubt, dismay, and uncertainty his patriotism was unfaltering, active, and courageous, his action prompt, decisive, and efficient, and he won for himself a distinguished place in the history of his country.

Let me close this with the words of Alston G. Dayton, formerly a Member of this House, who speaks from personal acquaintance and knowledge, and describes his masterly eloquence in a speech delivered after he was 80 years of age:

As I looked at his venerable form, placid and kindly face, heard the old, burning thoughts, clothed in his wonted eloquent language, spring to his lips, listened to his joyous, prophetic words outlining the future of our Nation and State, his very presence was a tower of strength. His hand resting on my shoulder at the time, thrilled me, and every word seemed a benediction of faith and hope. We were all deeply impressed. He was peculiarly bright and happy—no doubt, no wavering, no fear. He seemed to look beyond us and to pierce the veil between the present and the future, and, as we hung on his words, telling us of the future of the State for which he had done so much, which he had loved so well—

“His voice sounded like a prophet’s word,
And in its sacred tones were heard
The thanks of millions yet to be.”

[Applause.]

Address of Mr. Gaines, of West Virginia



MR. SPEAKER: Fifty years ago events profoundly affecting the destiny of West Virginia were moving from the hand of God with bewildering haste and compelling power. In December, 1860, South Carolina adopted the ordinance of secession. All over Virginia, in the east and in the west, the people were tremendously moved. But those of the east and those of the west, while equally excited, were quite differently affected by South Carolina's attempt to break up the Union. Already the people of Virginia were at heart two communities, not one. Before railroads were general people faced toward the mouth of their rivers. Eastern Virginia looked toward the Atlantic, and western Virginia toward the Ohio and the great free Northwest. Eastern Virginia, adapted to slavery, was interested in maintaining that institution; while western Virginia, mountainous and therefore free, had long been irritated by laws which were thought unjustly to discriminate in favor of the slave-holding interests. When therefore the Virginians all over the State rushed together in meetings to give expression to the public sentiment in relation to South Carolina's fateful declaration, the resolutions of the eastern meetings were quite different from those of the western meetings. While in the east they were resolving that secession was a constitutional right, in the west they were declaring it to be revolution, and that no just cause for revolution existed. The general assembly at Richmond expressed itself as opposed to any attempt on the part of the

Federal Government to "coerce a sovereign State," and called a state convention. The people of Harrison County resolved that they would support no man for a seat in that convention "who believes that the Federal Government has not the right of self-preservation."

In all this public excitement the old feeling of the people of the western part of the State that their geography, their opinions, and their interests called for a separate State was not dormant. The people of Tyler County, on January 24, 1861, followed up their declaration of adherence to the Union by saying "that if eastern Virginia secedes, we are in favor of striking West Virginia from eastern Virginia and forming a State independent of the South and firm to the Union." In the Virginia convention, Mr. Burley, a delegate from Marshall County, offered a resolution to the effect that the right of revolution can be exercised as well by a portion of the citizens of a State against their state government as it can be exercised by the whole people of a State against their Federal Government.

I leave to others better qualified to perform it the task of tracing the various steps in the formation of the State of West Virginia and Governor PIERPONT's leadership in the movement. He seems to have possessed in higher degree than any of those with whom he acted that threefold equipment of a statesman—brains, information, and courage. He had that freedom from hesitation and that confidence in the success of his cause which are at the bottom of all really great achievement. "There can be," said he, "no neutrality in this contest; and there need be no doubt on the subject as to which party will triumph."

West Virginians, Mr. Speaker, are the only successful secessionists—we seceded from secession. I trust I may be pardoned at this late day for expressing the belief and the hope that the great Republic will never know any other kind of successful secession. West Virginians, let it be confessed, have never been

very much interested in the constitutional questions involved in the formation of our State. We deny that anyone has the constitutional right to take us out of the Union if we want to stay in; and we have always very much wanted to stay. In fact, the question fought out in the civil war was whether a "sovereign State could be coerced" in regard to the matters then in dispute. And it transpired, as a matter of fact, that she could. The formation of the new State was a part of that coercion, and was otherwise ardently desired by the people who lived there. Even if it should be said by some that our course was violent, then we are reconciled even to that, in view of the fact that the extent of our violence was the measure of our devotion to human liberty and the Union.

The separation into two States was as inevitable for Virginia as the great civil war for the Nation. It is well that both came. Just as sectional hatred and distrust had grown until nothing but war itself could have effected a cure, so the irritation between the slaveholder on tide water and the inhabitants of Virginia's western slope, whose streams flowed toward the Great Lakes, could have been allayed by separation only. Sometimes the members of a family have such incompatible ideas that they quarrel if they attempt to remain one family. The people of Virginia, east and west of the Alleghenies, had, with their conflicting notions and interests, got on each other's nerves. Separation was the only remedy. If the remedy was heroic, I thank God the cure was complete. The cause of irritation removed, we feel with pleasure and with pride our kinship with the Virginians, our common source of political origin, and our common political history.

West Virginia, Mr. Speaker, war born but devoted to peace, happy, hospitable, and prosperous, loves ardently the flag of the Union and all its people, with some special fondness for our cousins of the Old Dominion. [Applause.]

Address of Mr. Sturgiss, of West Virginia



MR. SPEAKER: The civil war in the United States had its origin in the purpose of the slaveholding States to protect and perpetuate human slavery, and this purpose found expression in the attempt of those States to secede from the Union and to create the confederacy. The inevitable result was "horrid war;" war bad at the best, but a thousand fold worse when waged between peoples of the same blood, speech, religion, and with a common history and traditions in which all gloried.

Three striking and far-reaching results originated in and attended the war and remain as perpetual memorials of the folly of those who attempted to perpetuate slavery by secession and civil war.

First, the claim of the right of any State to dissolve its relations and obligations to the Union under the Constitution of 1787, whether an original party to that compact or coming under its sway by its provisions for the admission of new States, or by the acquisition of new territory, was settled against that pretension; and the doctrine that the Union was indissoluble and the States indestructible, and that the attempted dissolution of the one or the effort to secede by the other was treason, and must be treated as an act of rebellion and war, was forever established. Thus was interpreted the meaning of that "more perfect Union," that "domestic tranquillity," and the "blessings of liberty to ourselves and our posterity" for which the Constitution was "ordained and established" by the people.

Secondly, in the conflict of arms the prime motive and cause of the war was completely destroyed and no vestige of slavery remains to threaten a renewal of the strife. The abolition of slavery by the proclamation of the President was dramatic, logical, and justifiable upon the highest grounds of expediency, public policy, humanity, and justice. It was settled first by arms, to which those who sought to protect and perpetuate it had appealed, and, secondly, by writing it into the organic law by the adoption of the thirteenth amendment to the Constitution, in 1865, after the close of the war, according to all the provisions of that document duly and formally complied with by twenty-seven out of thirty-six States then constituting the Union.

These two results of the war were natural, indeed inevitable, and had an element of retributive justice as well as of precaution and prudence in the motives that prompted them. But they left no mark, record, or monument on the political or physical geography or territorial relations of the States.

The third result of the war—no less striking in historical importance—had nothing to do with the origin of the war. This was the creation of a new State—West Virginia—out of the territory constituting a part of the State of Virginia. For more than a half century the people of western Virginia had dreamed of and discussed the possibility of a separate State west of the Allegheny and Blue Ridge Mountains. Blaine, in his Twenty Years in Congress, said:

Between the two sections of the State there had long been serious antagonism. Indeed from the very origin of the settlement of western Virginia, which had made but little progress when the Federal Constitution was adopted, its citizens were in large degree alienated from the eastern and older section of the State. The men of the West were hardy frontiersmen, a majority of them soldiers of the Revolution, and their immediate descendants, without estates, with little but the honorable record of patriotic service and their own strong arms for their fortunes. They had few slaves.

They had their land patents, which were certificates of patriotic service in the Revolutionary War, and they depended upon their own labor for a new home in the wilderness. A population thus originating, a community thus founded, were naturally uncongenial to the aristocratic element of the Old Dominion. They had no trade relations, no social intercourse, with the tide-water section of the State. Formidable mountain ranges separated the two sections, and the inhabitants saw little of each other. The business interests of the western region led the people to the valley of the Ohio and not to the shores of the Chesapeake. The waters of the Monongahela connected them with Pennsylvania and carried them to Pittsburg. All the rivers of the western slope flowed into the Ohio and gave to the people the markets of Cincinnati and Louisville. Their commercial intercourse depended on the navigation of the western waters, and a far larger number had visited St. Louis and New Orleans than had ever seen Richmond or Norfolk. The West Virginians were aware of the splendid resources of their section and were constantly irritated by the neglect of the parent State to aid in their development. They enjoyed a climate as genial as that of the Italians who dwell on the slopes of the Apennines; they had forests more valuable than those that skirt the upper Rhine; they had mineral wealth as great as that which has given England her precedence in the manufacturing progress of the world. They were anxious for self-government.

The President was anxious to preserve and stimulate the sentiment of loyalty in the border-slave States. Delaware, Maryland, Kentucky, and Missouri were already in 1861 in the hands of loyal state administrators. Virginia alone of the slave-holding States represented territory adjoining the loyal States on the north. Blaine again tersely expresses the exact situation and the attitude of the President and the people of western Virginia. He says:

Virginia bordered on the Ohio River for 250 miles; she was adjacent to Pennsylvania for a distance of 120 miles, half on the southern, half on the western line of that State. Her extreme point stretched to the northward of Pittsburg, and was within 25 miles of the parallel of latitude that marks the southern boundary of New England. The continued exercise of even a nominal jurisdiction so far north by the State which contained the capital of the rebel confederacy would be a serious impeachment of the power of the National Government, and would detract from its respect at home and its prestige abroad. But the National Government was of itself capable only of enforcing military occupation and proclaiming the jurisdiction of the sword. What the President desired was the establishment of civil

government by a loyal people, with the reign of law and order everywhere recognized. Happily the disposition of the inhabitants was in harmony with the wishes of the administration.

Many meetings of the people were held during the winter and spring of 1861 to discuss the threatened secession of Virginia, and among others one in my own county of Monongalia on the 17th day of April, the day on which the ordinance of secession was passed by the Richmond convention (although on that day they had not learned of its passage), at which resolutions were adopted declaring that "the time had come when every friend of the Union should rally to the support of the flag of his country and defend the same; that the people of Monongalia, regardless of past party affiliations, hereby enter their solemn protest against the secession of the State; that we owe undying fidelity to the Federal Union;" and after reciting the grievances that western Virginia had endured and submitted to under the oppressive policy of eastern Virginia, "that now the measure of oppression is full, and if, as she claims, secession is the only remedy for all real or supposed wrongs, then the day is near when the West will arise in the majesty of its strength and repudiating its oppressors will dissolve all civil and political connection with the East and remain firmly under the Stars and Stripes."

A vote of thanks was passed to Waitman T. Willey and Marshall M. Dent, their representatives in the Richmond convention, for their loyal stand and vote against the ordinance, and they were instructed, in the event of the passage of the ordinance of secession, to propose a division of the State. Thus came from the people of Monongalia County one of the first resolutions relative to the formation of the new State. Tyler County probably had the honor of passing, on January 24, 1861, the first resolution of similar import.

At one of the largest meetings, numbering more than twelve hundred in attendance, held in the city of Clarksburg on the 22d of April, 1861, it was unanimously—

Resolved and recommended, That the people in each of the counties composing northwestern Virginia appoint delegates, not less than five in number, of their wisest, best, and discreetest men, to meet in convention at Wheeling on the 13th day of May next, to consult and determine upon what position the people of northwestern Virginia should take in the fearful emergency.

On that day there were assembled in the city of Wheeling representatives from twenty-seven counties, and the convention was called to order by Chester D. Hubbard, the father of my distinguished colleague from the First District, who was later a Member of Congress from that district, and George R. Latham, who later represented one of the West Virginia districts in Congress, was made temporary secretary.

On the same day on which this convention assembled a large number of citizens of Berkeley County met in mass meeting at Martinsburg, and in a series of resolutions, which were unanimously adopted, warned their brethern of the State that if they persisted in the work of secession a division of Virginia would be inevitable.

The first Wheeling convention passed resolutions declaring—

That in event of the ratification of the ordinance of secession by the people the counties here represented, and all others disposed to do likewise, were recommended to elect delegates on the 4th day of June ensuing to a general convention to meet on the 11th of the same month, the business of which should be to devise such measures as the safety and welfare of the people should demand. Each county was authorized to appoint a number of delegates equal to twice its number of representatives in the next general assembly, and the senators and representatives elected on the fourth Thursday of May at the general election as members of the general assembly of Virginia should be entitled to seats in the convention.

The vote on the ordinance of secession was taken on the 23d day of May, 1861, and in the counties now composing West Virginia 44,000 votes were cast, of which 40,000 were against the ordinance.

On the 11th day of June, 1861, the "second Wheeling convention," as it is commonly called, convened, and the committee on credentials reported thirty-five counties represented. Arthur I. Boreman, of Wood County, was chosen president of the convention. He was afterwards elected the first governor of West Virginia, and later a United States Senator from West Virginia.

The convention unanimously adopted the following declaration:

A declaration of the people of Virginia represented in convention at the city of Wheeling, Thursday, June 13, 1861.

The true purpose of all government is to promote the welfare and provide for the protection and security of the governed, and when any form or organization of government proves inadequate for or subversive of this purpose, it is the right, it is the duty of the latter to abolish it. The bill of rights of Virginia, framed in 1776, reaffirmed in 1830, and again in 1851, expressly reserves this right to a majority of her people. The act of the general assembly calling the convention which assembled in Richmond in February last, without the previously expressed consent of such majority, was therefore a usurpation; and the convention thus called has not only abused the powers nominally intrusted to it, but, with the connivance and active aid of the executive, has usurped and exercised other powers to the manifest injury of the people, which, if permitted, will inevitably subject them to a military despotism.

The convention by its pretended ordinances has required the people of Virginia to separate from and wage war against the Government of the United States, with whom they have heretofore maintained friendly, social, and business relations.

It has attempted to subvert the Union founded by Washington and his copatriots in the purer days of the Republic, which has conferred unexampled prosperity upon every class of citizens and upon every section of the country.

It has attempted to place the whole military force and military operations of the Commonwealth under the direction and control of such confederacy for offensive as well as defensive purposes.

It has, in conjunction with the state executive, instituted, wherever their usurped power extends, a reign of terror, intended to suppress the free expression of the will of the people, making elections a mockery and a fraud.

The same combination, even before the passage of the pretended ordinance of secession, instituted war by the seizure and appropriation of the

property of the Federal Government, and by organizing and mobilizing armies, with the avowed purpose of capturing or destroying the capital of the Union.

They have attempted to bring the allegiance of the people of the United States into direct conflict with their subordinate allegiance to the State, thereby making obedience to their pretended ordinances treason against the former.

We, therefore, the delegates here assembled in convention to devise such measures and take such action as the safety and welfare of the loyal citizens of Virginia may demand, have maturely considered the premises, and, viewing with great concern the deplorable condition to which this once happy Commonwealth must be reduced unless some regular adequate measure is speedily adopted, and appealing to the Supreme Ruler of the Universe for the rectitude of our intentions, do hereby, in the name and on behalf of the good people of Virginia, solemnly declare that the preservation of their dearest rights and liberties and their security in person and property imperatively demand the reorganization of the government of the Commonwealth, and that all acts of said convention and executive tending to separate this Commonwealth from the United States, or to levy and carry on war against them, are without authority and void; and that the offices of all who adhere to the said convention and executive, whether legislative, executive, or judicial, are vacated.

On the 14th the convention began the work of reorganizing the government of Virginia, and on the same day the committee reported the following ordinance, which was adopted on the 19th, without a dissenting voice:

An ordinance for the reorganization of the state government.

The people of Virginia, by their delegates assembled in convention at Wheeling, do ordain as follows:

1. A governor, lieutenant-governor, and attorney-general for the State of Virginia shall be appointed by the powers which pertain to their respective offices by the existing laws of the State, and to continue in office for six months, or until their successors be elected and qualified, and the general assembly is required to provide by law for an election of governor and lieutenant-governor by the people as soon as in their judgment such election can be properly held.

2. A council, to consist of five members, shall be appointed by this convention, to consult with and advise the governor respecting such matters pertaining to his official duties as he shall submit for their consideration, and to aid in the execution of his official orders. Their term of office shall expire at the same time as that of the governor.

3. The delegates elected to the general assembly on the 23d day of May last and the senators entitled under existing laws to seats in the

next general assembly, together with such delegates and senators as may be duly elected under the ordinances of this convention, or existing laws, to fill vacancies who shall qualify themselves by taking the oath or affirmation hereinafter set forth shall constitute the legislature of the State, to discharge the duties and exercise the powers pertaining to the general assembly. They shall hold their offices from the passage of this ordinance until the end of the terms for which they were respectively elected. They shall assemble in the city of Wheeling on the 1st day of July next and proceed to organize themselves as prescribed by existing laws in their respective branches. A majority in each branch thus qualified, voting affirmatively, shall be competent to pass any act specified in the twenty-seventh section of the fourth article of the constitution of the State.

4. The governor, lieutenant-governor, attorney-general, members of the legislature and all officers now in the service of the State, or of any county, city, or town thereof, or hereafter to be elected or appointed for such service, including the judges and clerks of the several courts, sheriffs, and commissioners of the revenue, justices of the peace, officers of the city and municipal corporations, and officers of militia, and officers and privates of volunteer companies of the State not mustered into the service of the United States, shall each take the following oath or affirmation before proceeding in the discharge of their several duties:

"I do solemnly swear—or affirm—that I will support the Constitution of the United States and the laws made in pursuance thereof as the supreme law of the land, anything in the constitution and laws of Virginia or in the ordinances of the convention which assembled in Richmond on the 13th of February, 1861, to the contrary notwithstanding, and that I will uphold and defend the government of Virginia as vindicated and restored by the convention which assembled at Wheeling on the 11th day of June, 1861."

5. If any elective officer who is required by the preceding section to take such oath or affirmation fail or refuse so to do, it shall be the duty of the governor, upon satisfactory evidence of the fact, to issue his writ declaring the office to be vacant and providing for a special election to fill such vacancy at some convenient and early day to be designated in said writ, of which due publication shall be made for the benefit of the persons entitled to vote at such election, and such writ may be directed, at the discretion of the governor, to the sheriff or sheriffs of the proper county or counties or to a special commissioner or commissioners to be named by the governor for the purpose. If the officer who fails or refuses to take such oath or affirmation be appointed by the governor, he shall fill the vacancy without writ, but if such officer be appointed otherwise than by the governor or by election, the writ shall be issued by the governor directed to the appointing power, requiring it to fill the vacancy.

ARTHUR I. BOREMAN, *President*.

G. L. CRANMER, *Secretary*.

On the 20th day of June FRANCIS H. PIERPONT was unanimously elected provisional governor, with other state officers.

On taking the office Mr. PIERPONT spoke in part as follows:

This day and this event mark a period in the history of constitutional liberty and in American history. For more than three-quarters of a century our Government has proceeded, in all the States and in all the Territories, upon the intelligence of the people, and upon the theory that in the people resides all power, and that from them all power must emanate.

* * * * *

We have been driven into the position we occupy to-day by the usurpers at the South, who have inaugurated this war upon the soil of Virginia and have made it the great Crimea of this contest. We, representing the loyal citizens of Virginia, have been bound to assume the position we have assumed to-day for the protection of ourselves, our wives, our children, and our property. We, I repeat, have been driven to assume this position; and now we are but recurring to the great fundamental principle of our fathers, that to the loyal people of a State belongs the lawmaking power of that State. The loyal people are entitled to the government and governmental authority of the State, and, fellow-citizens, it is the assumption of that authority upon which we are now about to enter.

It will be for us by firmness, and by prudence, by wisdom, by discretion in all our acts, to inaugurate every step we take for the purpose of restoring law and order to this ancient Commonwealth; to mark well our steps, and to implore the divine wisdom and direction of Him that ruleth above, who has every hair of our heads numbered, and who suffereth not a sparrow to fall unnoticed to the ground, and His guidance and direction in enabling us to carry out the great work we have undertaken here in humility, but with decision and determination.

Pursuant to the third clause of the ordinance passed June 19, a meeting of the general assembly of Virginia was held on the 1st day of July, the members of which had been duly chosen at the general election on the 23d day of May, 1861.

The general assembly, on the 9th day of July, elected John S. Carlile, of Harrison County, and Waitman T. Willey, of Monongalia County, as successors in the Senate of the United States to R. M. T. Hunter and James M. Mason, who had resigned their seats in that body. William G. Brown, Jacob B. Blair, and Killian V. Whaley, who had been elected to the House of Representatives on the same day that the members

of the general assembly were chosen, at once proceeded to Washington, where "they were admitted to seats in the respective Houses as Senators and Representatives from Virginia."

On June 28, 1861, William G. Brown, James Burley, John S. Burdett, John S. Carlile, John J. Jackson, James C. McGrew, George McC. Porter, Chapman J. Stuart, and Campbell Tarr were expelled from the Richmond convention, and the seats of Marshal M. Dent, Ephraim B. Hall, and Chester D. Hubbard were declared vacant, and on November 16 of the same year, at the first adjourned session of the Richmond convention, it was

Resolved, That Waitman T. Willey be, and he is hereby, expelled as a member of this body, on account of his disloyalty to the Confederate States, and his adherence to the enemies of the same.

The President of the United States had already recognized the restored government as de jure and de facto the government of Virginia. This government levied and collected taxes and was represented by county and magisterial district officers in every county of Virginia that was not within the lines of the confederate army.

At the election held on the fourth Thursday of May, 1862, Governor PIERPONT was elected to fill out the unexpired term of John Letcher, who had been elected governor for the term of four years beginning on the 1st day of January, 1860, and on the fourth Thursday of May, 1863, he was reelected for a full term of four years beginning January 1, 1864.

Because the seat of the restored government was at Wheeling many people have fallen into the error of supposing that Governor PIERPONT was governor of West Virginia, but that State did not come into existence until the 20th day of June, 1863, up to which date all the functions and powers of the government of Virginia had been exercised by the legislative, executive, and judicial departments of the loyal or restored government, and

step by step the proper proceedings had been taken by which, in accordance with the provision of the Constitution of the United States, the consent of the State of Virginia to the creation of the State of West Virginia had been given in manner and form strictly according to the provisions of the National Constitution.

The act of Congress giving the consent of the United States to the admission of West Virginia, and declaring it to be one of the States of the Federal Union, and admitted into the Union on an equal footing with the original States in all respects whatever, was signed by President Lincoln on the 31st day of December, 1862, and the constitution of the State having been ratified by a majority of all the votes cast in the counties embraced within the proposed State, the act was, by proclamation of the President, issued on the 20th day of April, 1863, declared to be in effect and force from and after sixty days from the date of the proclamation, and on the 20th day of June, 1863, was added this thirty-fifth star to the galaxy of States.

Governor PIERPONT, with the other state officers, removed from Wheeling to Alexandria, Virginia, before the inauguration of the state government of West Virginia, and on the 25th day of May, 1865, shortly after the surrender of the confederate troops, he removed with the other officers of the state government to Richmond, where he continued to administer the office of governor till the end of his term, January 1, 1868. In the meantime the Southern States were placed under military governments and divided into military districts. The first district included the territory of Virginia—that is to say, that part of the old State that remained after carving out West Virginia—and Major-General John M. Schofield was placed in command of this district. The relations between General Schofield and Governor PIERPONT were cordial and without friction, contrary

to the popular belief, for he was permitted to hold over and to exercise the powers of the governorship until the 16th day of April, 1868, when General Schofield appointed Henry W. Wells provisional governor.

The giant oak towering above its fellows is the product of centuries of sunshine and storm, of nourishment drawn from earth and air and sky. It has been toughened and strengthened by the blasts of many a winter, and through its veins courses the sap of a virile energy that makes it the monarch of the forest. So when nature would make a man of heroic mold, fitted for cares and great responsibilities and capable of being a leader of thought and of men of action in a great crisis, she pours into his veins and works into his brain the sturdy vigor of the thoughts and deeds of a long line of noble ancestors.

Nurtured by the sunshine of a long and proud ancestry, watered by the gentle dews of a cultured, serene home life, with mental and moral fiber toughened and strengthened by the struggles and experience of his early manhood, with the sap of virile energy coursing through his veins, FRANCIS H. PIERPONT, like the giant oak of the primeval forest, stood unbending, upright, and unafraid when the lightnings swept across the lowering sky and the thunderous mutterings of civil war broke upon a peace-loving people.

The "War Governor of Virginia" was not the product or the creation of the events of the civil war, though they gave him the opportunity to manifest his preeminence. He was the masterful genius who gave shape to the thought that was in the minds of all the men of western Virginia, who led in the preparing and planning, and who was recognized as the courageous, indomitable leader into whose hands could safely be committed the power and the responsibility of the revitalized state government of Virginia.

His voice rang out like a trumpet in scores of speeches delivered in hamlet, village, and city, encouraging the timid, stimulating to action the more courageous, and pointing out the way in which the letter and the spirit of the National Constitution could be observed and, by the inherent power of the people, by whose consent the State and National Governments exist, could reassert the right to fill the offices created by law and made vacant ipso facto by the treason of the officers who had placed themselves in rebellion and beyond the lines of the territory within the actual jurisdiction and the power of the National Government.

Such a life as Governor PIERPONT'S is not one that springs up in a single generation. When God needs a man for a great work, I believe we will always find He has been years in preparing him for his task through the generations that lie behind him, and FRANCIS H. PIERPONT was no exception to this rule. He sprang from a race of sturdy men whose lives had exerted a decided influence on their fellows for a thousand years. There is not a break in the family line from the subject of this address back to one Sir Hugh, who in the year 980 was Lord of Castle Pierpont in Picardy, branching from the Lords of Castle Pierrepont, 6 miles from St. Sauveur, Normandy. Not finding a ferry there, Charlemagne caused a stone bridge to be built, giving the name "Stonebridge" or Pierrepont to the place. Commenting on the name, John Pierpont, the grandfather of John Pierpont Morgan, who was a cousin and devoted personal friend of Governor PIERPONT, says:

The name is, like most other names, originally significant; a compound of the French "pier," stone, and "pont," bridge. You, sir, being interpreted, are Governor Stonebridge; and every stone bridge in the country is nominally a Pierpont, and of all bridges the piers are the most substantial part, and generally support the rest.

A younger son of the family, Sir Robert de Pierrepont, knight, went from France to England in 1066 as a commander under

William the Conqueror, and was given large estates in Suffolk and Sussex. His grandson married Frances Cavendish, a direct descendant of the daughter of William the Conqueror, and so the governor obtained his name—Francis. As we come down the direct line we find many a name that stands for a trait in FRANCIS H. PIERPONT'S character. There were old William the Conqueror, with his iron will; the Earl of Warwick, the "king maker;" the Earls of Surrey and Albemarle. Personal beauty, too, was always to be found among the Pierponts. An historian of the sixteenth century says of one of his grandfathers: "He was the most beautiful man in England and the quickest tempered." And those of us who remember the governor's temper when any wrong or injustice aroused it, know he came right-fully by it.

The founder of the family in America was James Pierpont, who came to this country in 1640, buying 300 acres of land in Roxbury, Massachusetts. So the "War Governor" numbered among his ancestors a king, and dukes and earls, but in his honest, democratic heart he ever held, "'Tis only noble to be good; kind hearts are more than coronets, and simple faith than Norman blood." The career of the Pierpont family in this country has been as notable as it was in England and France. Among the distinguished men who sprang from this man are John Pierpont, the New England poet, whose writing and preaching did so much for the cause of freedom; Judge Edwards Pierpont, the statesman; and John Pierpont Morgan, the financier. Every generation since James landed on this continent has produced a great man.

The governor was most happily married. His wife was Julia Robertson, a daughter of Reverend Samuel Robertson, of New York, and of Puritan stock. She was a cultured, beautiful, and high-spirited woman, whose whole soul was given to the cause

of freedom. She bore cheerfully and charmingly all the sorrows and cares that came to her through her husband's devotion to the State. She kept open house, and to the hundreds that came every year to her home she extended a gracious hospitality and sent hundreds of boxes of provisions and delicacies and comforts to the soldiers' hospitals, and so greatly were her services appreciated that she received on several occasions letters of thanks from President Lincoln and Mr. Hay, his secretary. After the war Mrs. Pierpont and Mrs. Rutherford B. Hayes were the first two women elected honorary members of the Army of West Virginia. With her own hands she fashioned the first flag of the Union presented to a loyal Virginia regiment. This flag, worn and discolored by use in the civil war, draped the governor's coffin when he was buried, in 1899. She was her husband's most trusted and confidential adviser in every political move.

Anarchy and chaos came suddenly upon western Virginia. The power and authority of the State could not be exercised west of the mountains. The State had joined the confederacy. The Federal Army was circumscribing her power and jurisdiction. Her Senators had resigned from the Congress of the United States, and her officers had renounced their allegiance to the National Government and most of them had taken the oath to support the Confederate States. If one could imagine the sudden physical death of every officer of the state government—legislative, executive, and judicial—and the sudden suspension of all the processes of the laws for the protection of life, liberty, and property, then one could conceive the reign of uncertainty, apprehension, and terror that characterized the year 1861. The political death of all these officers by their treason against the National Government operated effectually

to deprive them of all power and authority to enforce the laws for the protection of the citizen and his property.

The Constitution, the fourth section of the fourth article, declares:

The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature can not be convened) against domestic violence.

The State was being "invaded" by the armies of the Confederate States, made up of troops from the other States of the South, and "domestic violence" actually existed. It was then the duty of the United States to "guarantee" the republican form of government set up by the people of western Virginia, to protect them from invasion by the forces of the Confederacy, and from domestic violence arising from lawless men, whether pretending to be acting by authority of the politically defunct officials of the disloyal state government, or otherwise. The people resumed the power inherent in them when their servants committed political hara-kiri; reorganized and restored the state government; gave to all the protection of the civil laws by the due and orderly processes of the courts, by acts of legislation, and by executive enforcement. The law of self-preservation, the right of the people to ordain governments, and to reorganize and restore the government when from any cause it wholly fails in the purposes for which it was created, justify upon the highest grounds of inherent right and power, of expediency and public policy, the various steps by which the restored and reorganized government of Virginia was brought into existence.

That existence was recognized by the President when Governor PIERPONT officially invoked the protection of the Federal Government, which President Lincoln promised; by the raising and tendering of a number of regiments by Governor PIERPONT and their acceptance and employment by the President as Com-

mander in Chief. The Congress gave recognition by seating Waitman T. Willey and John S. Carlile as Senators, duly elected by the legislature of the restored state government, and by seating the Members of the House of Representatives elected under the laws of that government, and, lastly, by enacting the law admitting the State of West Virginia, in which it was recited that the legislature of Virginia, by an act passed on the 13th day of May, 1862, had given consent to the creation of the new State within the jurisdiction of the State of Virginia. Section 3, Article IV, of the Constitution, provides that—

New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State * * * without the consent of the legislatures of the States concerned, as well as of Congress.

Here we have the recognition of the restored government of Virginia as created upon the initiative of the people of western Virginia, through the various steps before recited, by the President and by Congress; the consent of Virginia through the legislature of the restored government of Virginia by the act of May 13, 1862; the consent of Congress by the act of December 31, 1862, approved by the President, and his proclamation of April 20, 1863.

Secretary of State William H. Seward, in an opinion given to Mr. Lincoln at his request, said, in part:

It seems to me that the political body which has given consent in this case is really and incontestably the State of Virginia. So long as the United States do not recognize the secession, departure, or separation of one of the States that State must be deemed as existing and having a constitutional place within the Union whatever may be at any moment its revolutionary condition. A State thus situated can not be deemed to be divided into two or more States merely by any revolutionary proceeding which may have occurred, because there can not be, constitutionally, two or more States of Virginia. * * * The newly organized State of Virginia is, therefore, at this moment by the express consent of the United States, invested with all the rights of the State of Virginia and charged with all the powers, privileges, and dignity of that State. If the United

States allow to that organization any of these rights, powers, and privileges it must be allowed to possess and enjoy them all. If it be a State competent to be represented in Congress and bound to pay taxes, it is a State competent to give the required consent of the State to the formation and erection of the new State of West Virginia within the jurisdiction of Virginia.

After discussing the question in detail, Secretary Chase, afterwards Chief Justice, declared:

It does not admit of doubt, as it seems to me, that the legislature which gave its consent to the formation and erection of the State of West Virginia was the true and only lawful legislature of the State of Virginia.

The legal title of FRANCIS H. PIERPONT, as governor of Virginia from the 20th day of June, 1861, to the 16th day of April, 1868, is thus shown to stand upon as firm and incontestable a foundation as the legal and constitutional right of West Virginia to her place as "a State of the Union on an equal footing with the original States in all respects whatever."

Virginia stood among the Southern States as *primus inter pares* by virtue of her proud history in the Colonial period and in the Revolutionary war; by the contributions of her great statesmen and orators; by the Declaration of Independence, written by her brilliant and patriotic son; by her contributions to the jurisprudence of the country; by her expounders of the Constitution; by her great territorial area, her variety of soil and climate, her splendid harbors and extended seacoast, and by her imperial gift of that great empire of the Northwest, out of which were carved many a State, donated in the interests of harmony and union among the sister States of the untried Republic.

By the glory of these memories and traditions Virginia should have been the first to defend the Union and the last to dim her pristine glory and sully her immaculate record by trailing in the rear of the States that one by one passed ordinances of secession

and set up what was intended to be an alien and hostile confederacy.

But disregarding all the influences of her glorious history, she yielded to the seductive voice of treason, and, the last to join the confederacy, by a species of retributive justice, was the first to suffer the pains and penalties of bloody war. Her bosom was scarred by the tramp of contending legions, her homes were desolated by fire, shot, and shell, and her population decimated by the wasting sickness of camp, and by cannon and saber and bayonet. She, more than any other State of the South, bore the shock of civil war, endured the paralysis and destruction of her commerce, agriculture, and business, saw her slaves emancipated and lost as a source of profit, and, to crown the climax of her humiliation, was bereft of one-third of her territory, population, and wealth by a process akin to the Caesarian operation. She was literally rent and torn by the intense passions engendered by a long series of acts of injustice, discrimination, and humiliation meted out to her citizens living west of the mountains, and, by the attempt to drag them from their allegiance to the Union, compelled them to rebel and tear themselves loose, inspired by a spirit of loyalty to the Nation and a love of independence and hatred of injustice.

As if to forever mark and perpetuate the memory of the contending titanic forces at work, when the State was rent in twain, the boundary lines of both States were irregular, ragged, and ungainly, like the outlines of some mighty mountain torn apart by volcanic power. Thus was the third great result of the war forever impressed upon the political geography of the Republic.

Overtures were made in 1866 by the Virginia assembly for the reintegration of the States, but met with no response from West Virginia. No one in public life in West Virginia, whether

Democrat or Republican, whether identified with the South during the war period or with the Union, has ever raised his voice in favor of a reunion of the States. All are equally proud of the State, its splendid resources, its magnificent development on material, educational, and industrial lines, and each vies with the other in unquestioned loyalty to the State whose motto so well expresses the universal sentiment, "*Montani semper liberi.*"

Nearly forty-five years have elapsed since the close of the mightiest drama ever enacted upon the stage of the Western Continent. Passions have been stilled. Brethern North and South recognize that the civil war was not an unmixed evil. Slavery was a curse to master and man, an incubus upon the South, upon her soil, and her most magnificent natural wealth, deterring capital and free labor, holding back education and intelligence among her poorer people, both black and white. With bounding strides, like a young giant loosed of his fetters, the South is rivaling the North in the race for supremacy, in developing her mines and her forests, in factories, furnaces, railroads, agriculture, lumbering, and all forms of manufacturing enterprises. With wisdom in seizing the benefits of that policy that encourages a diversification of industries, the South may hope to surpass in prosperity and wealth her sister States of the North. Of the South it may most truly be said, "*No pent-up Utica contracts her powers.*" The whole boundless continent is hers. Mighty rivers, great harbors, bays, and gulfs; coal, iron, and oil, marble, sulphur, and timber; genial climate and fertile soil, and most beautiful and picturesque mountains, vales, and streams; and the trade facilities offered by her proximity to the Central and South American Republics and to the Orient by the Isthmian Canal, soon to be completed, stimulate her sons to industrial activity and invite the enterprise, the labor, and the capital of the world.

Virginia and West Virginia have placed in the National Hall of Fame types of men strikingly dissimilar in their relationship

to the events of the civil war, yet with many things in common that ennobled them both. Robert E. Lee, the great soldier, modest in the height of his power, dignified and serene in defeat, clean in morals, pure in private life, and unsullied by any suspicion of dishonesty or self-seeking, and with a profound Christian faith and character—a very Sir Galahad—stands in the Hall of Statuary near FRANCIS H. PIERPONT, whose purity of private life and character is well typified by the chiseled marble that perpetuates his memory. He, too, was unspoiled by honors, was cheerful under all the cares of his great office in the “times that tried men’s souls,” and above all suspicion of mercenary motives or of profit by his position. He also had the absolute faith of the sincere Christian.

Each believed—

The Master, when He made him, gave him life, and gave him breath—
Whispered he should be immortal. Shall the Lord be robbed by death?
Nay! The clay on yonder hillside, molded by our God’s own hands,
Shall be dowered with life eternal when His saints before Him stand.

Each was sincere in his convictions that he was doing the right as God gave him to see the right. If each could speak, he would take no umbrage at the presence and proximity of the other in that Hall dedicated to the memory of the acknowledged good and great of the States which they represent.

It is said that “no man is great to his valet,” but these men won the confidence and love of the strong men intimately associated with them in the great work that occupied their lives during the years of the civil war. It is praise, indeed, when matured and able men of strong conviction and large experience and with high ideals give hearty approval, support, and praise. Such were the men in West Virginia who were in closest touch with Governor PIERPONT—Senators Waitman T. Willey and Peter G. Van Winkle, Governor A. I. Boreman, Congressmen W. G. Brown, Chester D. Hubbard, and James C. McGrew, Judges R. L. Berkshire and Brown, and many others.

Revolution and rebellion, loyalty and treason, are relative terms in political history. A successful rebellion is a revolution. An unsuccessful revolution is a rebellion. The traitor of one may be the patriot of the other when written in the annals of the historian. Nothing so justifies a political enterprise as success. The only treason in ethics is disloyalty to moral ideals.

But happily all speculation is ended with the civil strife. The Union is restored and cemented in foundations deeper and stronger than ever in the respect each section has for the other. The poet's apostrophe is doubly appropriate now than when he wrote:

Sail on, O Ship of State!
Sail on, O Union, strong and great!
Humanity with all its fears,
With all the hopes of future years,
Is hanging breathless on thy fate!
We know what Master laid thy keel,
What Workmen wrought thy ribs of steel,
Who made each mast, and sail, and rope,
What anvils rang, what hammers beat,
In what a forge and what a heat
Were shaped the anchors of thy hope!
Fear not each sudden sound and shock,
'Tis of the wave and not the rock;
'Tis but the flapping of the sail,
And not a rent made by the gale!
In spite of rock and tempest's roar,
In spite of false lights on the shore,
Sail on, nor fear to breast the sea!
Our hearts, our hopes, are all with thee,
Our hearts, our hopes, our prayers, our tears,
Our faith triumphant o'er our fears,
Are all with thee—are all with thee!

West Virginia has this day unveiled in the Capitol of the Nation the statue of FRANCIS HARRISON PIERPONT, one of her best-beloved citizens, renowned as a patriot, administrator, and statesman, and now confides this memorial to the care and keeping of Congress.

I move, Mr. Chairman, the adoption of the resolution of acceptance.

The SPEAKER pro tempore. The question is on agreeing to the Senate concurrent resolution No. 24.

The resolution was unanimously adopted.

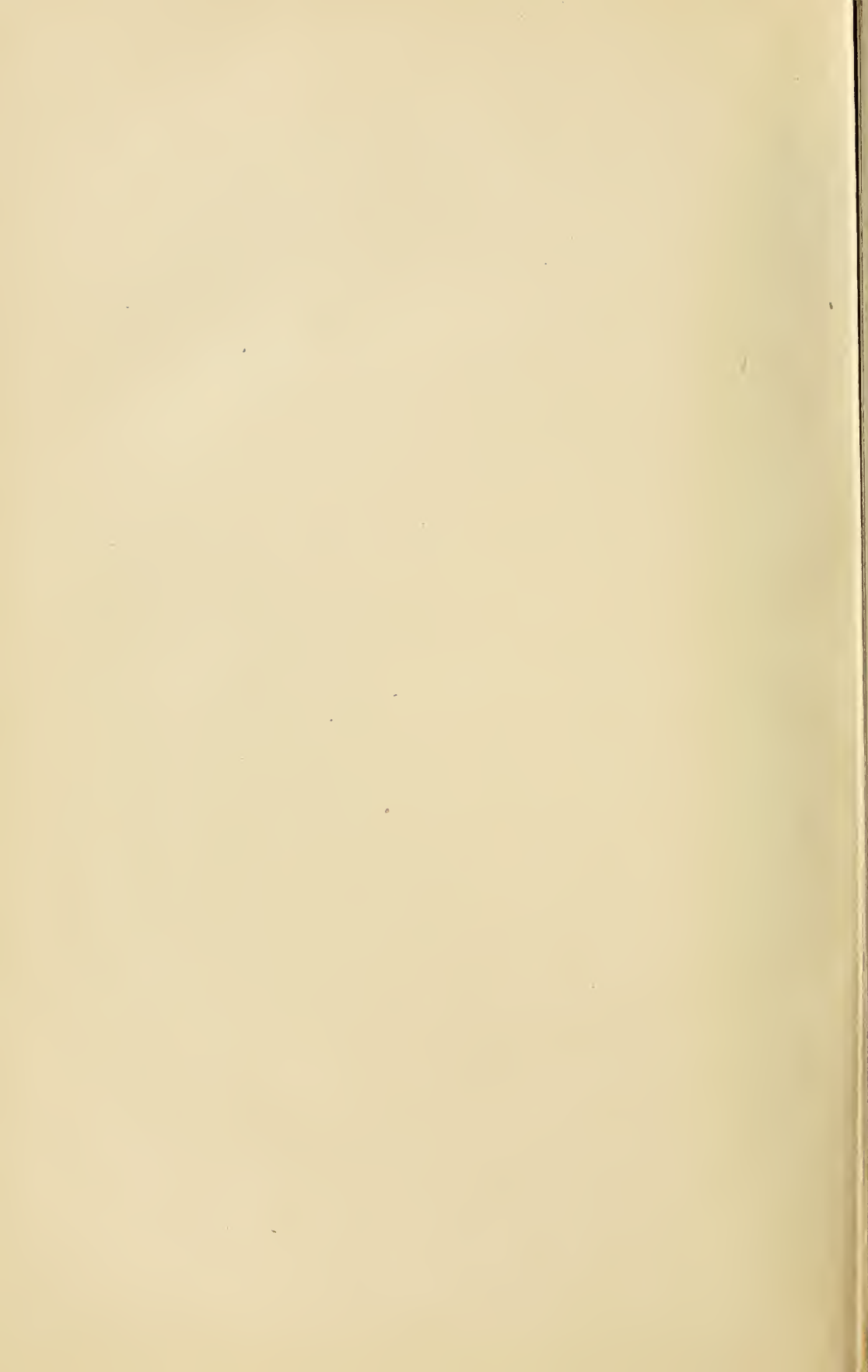
Mr. STURGISS. Mr. Speaker, I move, as a further mark of respect to the memory and public services of the late FRANCIS H. PIERPONT, that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 24 minutes p. m.) the House adjourned.









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